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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10606

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED-VALUE EXCESS-PROFITS, CAPITAL-STOCK, ESTATE, AND GIFT TAX RETURNS BY THE SENATE COMMITTEE ON GOVERNMENT OPERATIONS

By virtue of the authority vested in me by sections 55 (a) 508, 603, 729 (a) and 1204 of the Internal Revenue Code of 1939 (53 Stat. 29, 111, 171, 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a) 508, 603, 729 (a) and 1204) and by section 6103 (a) of the Internal Revenue Code of 1954 (68A Stat. 753; 26 U. S. C. 6103 (a)) it is hereby ordered that any income, excess-profits, declared-value excess-profits, capital-stock, estate, or gift tax return for the years 1945 to 1954, inclusive, shall, during the Eighty-fourth Congress, be open to inspection by the Senate Committee on Government Operations, or any duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all levels with a view to determining the economy and efficiency of the Government, such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in the two Treasury decisions,[1] relating to the inspection of returns by committees of the Congress, approved by me this date.

This order shall be effective upon its filing for publication in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
May 3, 1955.

[F. R. Doc. 55-3700; Filed May 3, 1955; 5:02 p. m.]

EXECUTIVE ORDER 10607

INSPECTION OF INCOME, EXCESS-PROFITS, DECLARED-VALUE EXCESS-PROFITS, CAPITAL-STOCK, ESTATE, AND GIFT TAX RETURNS BY THE COMMITTEE ON GOVERNMENT OPERATIONS, HOUSE OF REPRESENTATIVES

By virtue of the authority vested in me by sections 55 (a) 508, 603, 729 (a), and 1204 of the Internal Revenue Code of 1939 (53 Stat. 29, 111, 171, 54 Stat. 989, 1008; 55 Stat. 722; 26 U. S. C. 55 (a), 508, 603, 729 (a), and 1204) and by section 6103 (a) of the Internal Revenue Code of 1954 (68A Stat. 753; 26 U. S. C. 6103 (a)), it is hereby ordered that any income, excess-profits, declared-value excess-profits, capital-stock, estate, or gift tax return for any period to and including 1954, shall, during the Eighty-fourth Congress, be open to inspection by the Committee on Government Operations, House of Representatives, or any duly authorized subcommittee thereof, in connection with its studies of the operation of Government activities at all levels with a view to determining the economy and efficiency of the Government, such inspection to be in accordance and upon compliance with the rules and regulations prescribed by the Secretary of the Treasury in the two Treasury decisions,[1] relating to the inspection of returns by committees of the Congress, approved by me this date.

This order shall be effective upon its filing for publication in the FEDERAL REGISTER.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
May 3, 1955.

[F. R. Doc. 55-3699; Filed, May 3, 1955; 5:02 p. m.]

[1] See Title 26, Part 458 and Title 26 (1954), Part 301; *infra*.

TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1955 C. C. C. Grain Price Support Bulletin 1]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—GENERAL PROVISIONS 1955-CROP PRICE SUPPORT PROGRAMS FOR GRAINS AND RELATED COMMODITIES

This bulletin (hereinafter called subpart) contains regulations of a general nature which will be applicable with respect to 1955 price support programs for certain grains and other commodities for which the Secretary of Agriculture makes price support available through the Commodity Credit Corporation and

(Continued on p. 3019)

CONTENTS

THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

the Commodity Stabilization Service (referred to in this subpart and supplements hereto as CCC and CSS respectively)

A separate supplement to this subpart (hereinafter referred to as "commodity supplement") containing additional specific requirements, will be issued for each commodity to which the provisions of this subpart are to be applicable.

Sec.

AUTHORITY: §§ 421.1001 to 421.1021 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051, 66 Stat. 758, 15 U. S. C. 714c; 7 U. S. C. 1441, 1447, 1421.

§ 421.1001 *Administration.* The programs to which this subpart applies will be administered by CSS, under the general direction and supervision of the Executive Vice President, CCC, and in the field, will be carried out by Agricultural Stabilization and Conservation State Committees and Agricultural Stabilization and Conservation County Committees (hereinafter called State and County Committees) and CSS commodity offices. Producers interested in participating in the program should contact their county office through which the price support documents will be distributed. All documents will be completed and approved by the county committee which will retain copies of all such documents. The State committee may authorize the county committees to designate certain employees of the county committee to approve documents on behalf of the county committee. The names of the employees designated to approve documents in behalf of the county committee shall be submitted to the State committee for approval. State and county committees and CSS commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements to this subpart.

§ 421.1002 *Commodities covered by this subpart.* The provisions of this subpart shall apply to the 1955 price support programs for barley, corn, dry edible beans, grain sorghums, flaxseed (except direct purchases) oats, rice, rye, soybeans, wheat, and any other 1955 price support program for which a commodity supplement is issued.

§ 421.1003 *Methods of price support.* This subpart applies to farm-storage loans, warehouse-storage loans, and purchase agreements. The particular methods to be used for each commodity will be specified in the applicable commodity supplement to this subpart.

§ 421.1004 *Disbursement of loans.* Disbursement of loans will be made to producers by approved lending agencies under an agreement with CCC, or by ASC county offices by means of sight drafts drawn on CCC. No disbursements shall be made later than 15 days after the final date of availability of loans set forth in the applicable commodity supplement to this subpart, unless authorized by the Executive Vice President, CCC. Payment in cash, credit to the producer's account, or the drawing of a check or draft shall constitute disbursement. The producer shall not present the loan documents for disbursement unless the commodity is in existence and in good condition. If the commodity was not in existence and in good condition at the time of disbursement, the total amount disbursed under the loan shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized under the applicable commodity supplement to this subpart, the producer shall be personally liable for repayment of the amount of such excess.

§ 421.1005 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity, with which CCC has entered into a lending agency agreement.

§ 421.1006 *Approved storage.* Loans will be made only on commodities in approved storage. Purchase agreements may be executed without regard to whether the commodity is in approved storage. However, warehouse receipts representing commodities tendered to CCC under purchase agreements will be accepted in lieu of physical delivery only if the commodity is in approved warehouse storage, is in existence, and is in good condition at the time the warehouse receipt is tendered.

(a) *Farm-storage.* Approved farm storage shall consist of storage structures located on or off the farm (excluding public warehouses), which are determined by the county committee to be so located and of such substantial and permanent construction as to afford safe storage of the commodity.

(b) *Warehouse storage.* Approved warehouse storage shall consist of (1) public warehouses for which a CCC uniform storage agreement for the commodity is in effect, or (2) warehouses operated by Eastern common carriers under tariffs approved by the Interstate Commerce Commission for which custodian agreements are in effect. The names of approved warehouses may be obtained from CSS commodity offices or State and county committees.

§ 421.1007 *Applicable forms and requirements*—(a) *Farm-storage loans.* Applicable forms shall consist of Producer's Note and Supplemental Loan Agreement (Commodity Loan Form A) secured by Commodity Chattel Mortgage (Commodity Loan Form AA) and such other forms and documents as may be required by CCC.

(b) *Warehouse-storage loans.* Applicable forms shall consist of the Producer's Note and Loan Agreement, Commodity Loan Form B (CCC Rice Form B, in the case of rice) and such other forms and documents as may be required by CCC.

(c) *Purchase agreements.* Applicable forms shall consist of the Purchase Agreement (Commodity Purchase Form 1) and Purchase Agreement Settlement (Commodity Purchase Form 4) signed by the producer and approved by the county committee, the Delivery Instructions (Commodity Purchase Form 3) issued by the county committee, and such other forms and documents as may be required by CCC.

(d) *Warehouse receipts.* The form in which warehouse receipts shall be submitted will be stated in the commodity supplement to this subpart.

(e) *Other requirements.* Producer's Note and Supplemental Loan Agreements, Commodity Chattel Mortgages, and Producer's Note and Loan Agreements, must have State and documentary revenue stamps affixed thereto where required by law. Loan and purchase agreement documents executed by an administrator, executor, or trustee, will be acceptable only where legally valid. All of the commodity pledged as security for a loan evidenced by a single Producer's Note and Loan Agreement must be stored in the same warehouse.

§ 421.1008 *Liens.* If there are any liens or encumbrances on the commodity, waivers acceptable to the county committee must be obtained.

§ 421.1009 *Service charges.* (a) Producers shall pay the following service charges on the quantity of the commodity placed under loan or specified in the purchase agreement. In the case of loans, the service charges, except preliminary service charges, shall be collected from the proceeds of the loan at the time the loan is disbursed. In the case of purchase agreements, the service charges shall be collected at the time the Purchase Agreement (Commodity Purchase Form 1) is completed. Such service charges shall be computed at the rates shown in column (2) of the following table for commodities the quantity of which is determined on the basis of bushels, and at the rates shown in column (3) for commodities the quantity of which is determined on the basis of pounds or 100 pounds. An additional service charge shall be paid on any additional quantity delivered to and accepted by CCC under a farm-storage loan or not redeemed in the case of an identity-preserved warehouse storage loan.

Method of price support (1)	Service charges		
	Per bushel (2)	Per 100 pounds (3)	Minimum charges (4)
	Cents	*Cents*	
Farm-storage loans	1	2	[1] $3.00
Warehouse-storage loans	½	[2] 1	[2] 1.50
Purchase agreements	½	1	1.50

[1] Except rice for which State committees are authorized to require payment of $5 for each lot sampled.
[2] Except rice for which the service charge for warehouse storage loans shall be 2 cents per 100 pounds with a minimum charge of $3.

(b) In the case of farm-storage loans and identity-preserved warehouse-storage loans, State committees are authorized to require prepayment of the minimum service charges (shown in paragraph (a) of this section) at the time the producer applies for a loan.

(c) No refund of service charges will be made.

§ 421.1010 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are past due, or are payable or prepayable under the provisions of the note evidencing such loan out of the proceeds of the price support loan or purchase, he must designate CCC or the lending agency holding such note as the payee of the proceeds of the price support loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service charges and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided in this section. Indebtedness owing to CCC or to a lending agency as provided in this section shall be given first consideration after claims of prior lienholders. Any storage payment due the producer for storage of the commodity in farm-storage structures shall be applied to any storage facility loan or mobile drying equipment loan made to the producer until fully repaid. Any amount of such storage payments not so applied, together with all other payments for services due the producer, shall be subject to set-off in the same manner as provided in this section for loan or purchase proceeds. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 421.1011 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum from the date of disbursement of the loan, except that where there is a default in satisfaction of a farm-storage loan the deficiency shall bear interest at the rate of 6 percent per annum from the date of default.

§ 421.1012 *Transfer of producer's interest*—(a) *Warehouse-storage loans.* The producer shall not transfer either his remaining interest in or his right to redeem a commodity pledged as security for a warehouse storage loan, nor shall anyone acquire such interest or right. Warehouse receipts will be released only to the producer or his authorized agent as provided in § 421.1017.

(b) *Farm-storage loans.* The producer shall not transfer either his remaining interest in or his right to redeem a commodity mortgaged as security for a farm storage loan nor shall anyone acquire such interest or right. A producer who wishes to liquidate all or part of his loan by contracting for the sale of the commodity must obtain written prior approval of the county committee on Commodity Loan Form 12 to remove the commodity from storage when the proceeds of the sale are needed to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers at the office of the county committee.

(c) *Purchase agreements.* The producer may not assign his interest in a purchase agreement.

§ 421.1013 *Safeguarding the commodity.* The producer obtaining a farm-storage loan is obligated to maintain the storage structure in good repair and to keep all the mortgaged commodity in storage and in good condition until the loan is liquidated.

§ 421.1014 *Insurance on farm-storage loans.* CCC will not require the producer to insure the commmodity placed under a farm-storage loan; however, if the producer insures such commodity and an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the commodity involved in the loss.

§ 421.1015 *Loss or damage to the commodity.* The producer is responsible for any loss in quantity or quality of the commodity placed under farm-storage or identity-preserved warehouse-storage loans, except that, subject to the provisions of § 421.1014, physical loss or damage occurring after disbursement of the loan funds without fault, negligence, or conversion on the part of the producer or any other person having control of the storage structure and resulting solely from an external cause other than insect infestation, rodents or vermin, will be assumed by CCC to the extent of the settlement value at the time of destruction of the quantity of the commodity destroyed or in an amount equivalent to the extent of the damage as determined by CCC, provided the producer has given the county committee immediate notice, confirmed in writing, of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. Where disbursement of funds is made by sight drafts or check, the date of the draft or check shall constitute the date of disbursement of the funds.

§ 421.1016 *Personal liability of the producer* The making of any fraudulent representation by the producer in the loan documents, or in obtaining the loan or the conversion or unlawful disposition of any portion of the commodity by him may render the producer subject to criminal prosecution under the Federal Law and shall render him personally liable for the amount of the loan (including interest) and for any resulting expense incurred by any holder of the note.

§ 421.1017 *Release of the commodity under loan.* A producer may at any time obtain release of the commodity remaining under loan by paying to the holder of the note and supplemental loan agreement or note and loan agreement the principal amount thereof, plus charges and accrued interest. All charges in connection with the collection of the note shall be paid by the producer. Upon presentation of the paid note, the county committee shall, in the case of farm-storage loans, arrange for the release of the chattel mortgage. Partial release of the commodity prior to maturity may be arranged with the county committee after making payment to the holder of the note for the quantity of the commodity released, plus charges and accrued interest; however, in the event the quantity of the commodity contained in the bin or crib and covered by the chattel mortgage is greater than the quantity with respect to which the amount of the loan was computed, all or part of such excess may be removed without payment on the loan but only upon prior approval by the county committee. In the case of warehouse-storage loans, such partial release must cover all of the commodity represented by one warehouse receipt. Warehouse receipts redeemed by repayment shall be released only to the producer-borrower or to another whom the producer has authorized in writing to receive the warehouse receipts in his behalf. Such written authorization must be made within 30 days prior to repayment of the loan.

§ 421.1018 *Liquidation of loans and delivery under purchase agreements*—(a) *Farm-storage loans.* (1) The producer is required to pay off his loan on or before maturity or to deliver the commodity in accordance with instructions issued by the county committee. If the producer desires to deliver the commodity he should, prior to maturity, give the county committee notice in writing of his intention to do so. The producer may, however, pay off his loan and redeem his commodity at any time prior to the delivery of the commodity to CCC or removal of the commodity by CCC. If the commodity is going out of condition or is in danger of going out of condition, the producer shall notify the county committee, and such committee shall determine whether prompt removal of the commodity is necessary. If CCC is unable to take delivery within a reasonable length of time of a commodity which the county committee determines should be removed, the producer may

request and obtain through the county committee an inspection and grade and quality determination. When delivery is completed, settlement shall be made on the basis of such grade and quality determination or on the basis of the grade and quality determination made at the time of delivery, whichever is higher. In the event the farm is sold, there is a change of tenancy, or the producer dies, the commodity may be delivered before the maturity date of the loan, upon prior approval by the county committee, or may be delivered before the maturity date of the loan for other reasons upon authorization of the Executive Vice President, CCC. Settlement will be made at the applicable support rate, subject to the provisions of the Porducer's Note and Supplemental Loan Agreement and applicable commodity supplement according to grade and quality. Delivery of commodities in bulk will be accepted only from the bin(s) in which the commodity under loan is stored. In case a loan is made on part of the commodity in the bin, the maximum quantity eligible for delivery shall be the quantity on whiich the loan was made plus any normal overrun established by the State Committee. In the case of commodities stored in bags, only the quantity contained in the bags included in the lot placed under loan may be delivered. Settlement will be made on the quantity delivered by the producer as determined by the county committee in accordance with the applicable commodity supplement.

(2) If the settlement value of the commodity delivered exceeds amount due on the loan (excluding interest), such excess amount will be paid to the producer. Deliveries of commodities to CCC under farm-storage loans will be handled by the county committee which initially approved the loan. Any payment due to the producer will be made by sight draft drawn on CCC by the county office.

(3) If the settlement value of the commodity is less than the amount due on the loan (excluding interest), the amount of the deficiency plus interest thereon, shall be paid to CCC and may be set off against any payment which would otherwise be due to the producer under any agricultural program administered by the Secretary of Agriculture or any other payments which are due or may become due the producer from CCC or any other agency of the United States.

(b) *Warehouse-storage loans.* (1) If the producer does not repay his loan by maturity, CCC shall have the right to sell or pool the commodity in satisfaction of the loan in accordance with the provisions of the note and loan agreement and § 421.1019. Any payment due the producer because of an overplus realized from the sale or pooling of the commodity or any refunds of unearned or prepaid storage on loans called prior to maturity will be made by the appropriate CSS commodity office.

(2) In the case of commodities stored identity preserved, the producer shall, on or before the final date for redemption of warehouse-storage loans specified in the applicable commodity supplement, either furnish official weight and grade certificates or repay his loan. In the case of rice stored modified commingled the producer shall, on or before the final date for redemption of warehouse-storage loans specified in the rice commodity supplement, either furnish official grade certificates or repay his loan. If the producer does not repay his loan on or before such final date of redemption, settlement for difference in quantity or quality shall be made, prior to sale or pooling, in accordance with the applicable commodity supplement to this subpart. Any amount determined to be due CCC or the producer shall be paid as provided in subparagraphs (2) and (3) of paragraph (a) of this section.

(c) *Payments and collections; amounts not exceeding $3.00.* To avoid administrative costs of making small payments and handling small accounts, amounts due the producer of $3.00 or less will be paid only upon his request and a deficiency of $3.00 or less, including interest, may be disregarded by a producer unless demand for payment is made by CCC.

(d) *Purchase agreements.* (1) The producer who signs a purchase agreement (Commodity Purchase Form 1) will not be obligated to sell any quantity of the commodity to CCC. However, he may sell to CCC any quantity of the eligible commodity not in excess of the quantity stated in the purchase agreement. If the producer who signs a purchase agreement wishes to sell the commodity to CCC, he will have a 30-day period during which he must notify the county committee in writing of his intentions to sell. Such period shall end on the loan maturity date specified in the applicable commodity supplement to this subpart or such earlier date as may be prescribed by the Executive Vice President, CCC.

(2) In the case of eligible commodities stored commingled in an approved warehouse, the producer must, not later than the day following the final date of such 30-day period, or during such period of time thereafter as may be specified by the county committee, submit to the county committee warehouse receipts under which the warehouseman guarantees quality and quantity, for the quantity of commodity he elects to sell to CCC. In the case of eligible commodities stored in other than approved warehouse storage, or stored identity-preserved in approved warehouse storage, the county committee will, on or after the final date of such 30-day period, issue delivery instructions to the producer. The producer must then complete delivery within a 15-day period immediately following the date the county committee issues delivery instructions, unless the county committee determines that more time is needed for delivery.

(3) The producer may be required to retain a commodity stored in other than approved warehouse storage for a period of 60 days after the loan maturity date, without any cost to CCC.

(4) Eligible commodities delivered under a purchase agreement will be purchased at the applicable support rate. When delivery is completed, payment will be made by sight draft drawn on CCC by the county office. The producer shall direct on Commodity Purchase Form 4 to whom payment of the proceeds shall be made. Commodities stored commingled in approved warehouses will be purchased, on the basis of the weight, grade, and other quality factors shown on the warehouse receipts and/or accompanying documents. Commodities stored identity-preserved in an approved warehouse and commodities delivered from other than approved warehouse storage will be purchased on the basis of the weight, grade, and other quality factors, determined by the county committee at the time of delivery (in accordance with requirements for the determination of such factors under the loan program), and agreed to by the producer on Commodity Purchase Form 4.

(e) *Support rate for settlement of loans and purchase agreements applicable to barley, flaxseed, grain sorghums, rye, and wheat.* (1) In the case of commodities stored in an approved warehouse, settlement shall be made at the applicable support rate for the county in which the warehouse is located, except as otherwise provided in subparagraphs (3) and (4) of this paragraph.

(2) In the case of commodities delivered from other than approved warehouse storage, settlement shall be made at the applicable support rate for the county in which the producer's customary shipping point (as determined by the county committee) is located, except as otherwise provided in subparagraphs (3) and (4) of this paragraph.

(3) If two or more approved warehouses are located at the same or adjoining towns, villages, or cities having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point, and the same settlement rate shall apply even though such warehouses are not all located in the same county. Such settlement rate shall be the highest support rate of the counties involved.

(4) In the case of wheat stored in an approved warehouse or delivered to CCC under loan or purchase agreement from other than approved warehouse storage, if the wheat is produced in the commercial wheat-producing area and stored or delivered outside the commercial wheat producing area, or if the wheat is produced in the non-commercial wheat-producing area and stored or delivered in the commercial wheat-producing area, settlement shall be made at the support rate for the county or terminal where the wheat is stored or delivered adjusted to the percentage level for the area where the wheat was produced as shown in the wheat supplement to this subpart.

(f) *Support rate for settlement of loans and purchase agreements applicable to corn, oats, and soybeans.* In the case of corn, oats, and soybeans, whether stored in an approved warehouse or delivered from other than approved warehouse storage, settlement shall be made at the applicable support rate for the county in which the commodity was produced.

(g) *Compensation for hauling.* In the case of all commodities listed in paragraphs (e) and (f) of this section, if the producer is directed by the county committee to deliver his commodity to a point other than his customary shipping point, the producer shall be allowed compensation (as determined by CCC, at not to exceed the common carrier truck rate or the rate available from local truckers) for the additional cost of hauling the commodity any distance greater than the distance from the point where the grain is stored by the producer to the customary shipping point: *Provided,* That in the case of barley, flaxseed, grain sorghums, rye, and wheat if the producer is directed to deliver his commodity to a terminal market for which a support rate is established, settlement shall be based on the support rate for such terminal market and no compensation shall be allowed for hauling.

§ 421.1019 *Foreclosure.* If the loan is not satisfied upon maturity, the holder of the note may remove the commodity from storage, and may sell it (the commodity may be processed before sale) either by separate contract or after pooling it with other lots of a commodity similarly held. If the commodity is pooled, the producer has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled commodity as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. Any sum due the producer as a result of the sale of the commodity or of insurance proceeds thereon, or any ratable share resulting from the liquidation of a pool, shall be payable only to the producer without right of assignment by him.

§ 421.1020 *Purchase of notes.* Notes evidencing loans will be purchased from approved lending agencies in accordance with the terms of the lending agency agreement. The purchase price to be paid by CCC will be the principal sums remaining due on such notes plus an amount computed according to the lending agency agreement to cover interest. At maturity, or earlier upon request, lending agencies shall submit notes and reports to the ASC county office where the loan documents were approved.

§ 421.1021 *CSS commodity offices.* The CSS commodity offices and the areas served by them are shown below:

Chicago 5, Illinois, 623 South Wabash Avenue: Connecticut, Delaware, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Dallas 26, Texas, 3306 Main Street: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Missouri (for rice only), New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.

Kansas City 6, Missouri, 911 Walnut Street: Colorado, Kansas, Missouri (except for rice), Nebraska, Wyoming.

Minneapolis 8, Minnesota, 1006 West Lake Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Portland 5, Oregon, 515 Southwest Tenth Avenue: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

Issued this 2d day of May 1955.

[SEAL] EARL M. HUGHES,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55-3664; Filed, May 4, 1955; 8:52 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 113]

PART 608—RESTRICTED AREAS

CAMP IRWIN, CALIF.

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.14, the Camp Irwin, California, area (R-276 formerly D-276), amended on February 26, 1955 in 20 F R. 1209, is further amended by changing the "Using Agency" column to read: "Commanding General, Camp Irwin, California"

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on May 6, 1955.

[SEAL] F B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 55-3657; Filed, May 4, 1955; 8:50 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6192]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

MAX SCHWARTZ CO.

Subpart—*Furnishing means and instrumentalities of misrepresentation or deception.* § 3.1055 *Furnishing means and instrumentalities of misrepresentation or deception.* Subpart—*Misbranding or mislabeling:* § 3.1190 *Composition. Wool Products Labeling Act:* § 3.1325 *Source or origin.* Maker or seller, etc.. *Wool Products Labeling Act;* place: *Domestic product as imported; Wool Products Labeling Act.*[1] Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 3.1845 *Composition.* Wool Products Labeling Act; § 3.1875 *Non-standard character of product;* § 3.1885 *Qualities or properties of product;* § 3.1886 *Quality, grade or type of product;* § 3.1900 *Source or origin.* Wool Products Labeling Act. I. In connection with the offering for sale, sale, or distribution in commerce, of fabrics: 1. Representing, directly or by implication, that fabrics manufactured in the United States are manufactured in any other country; and 2. selling fabrics known as "seconds" or "unmerchantables" without clearly and conspicuously marking said fabrics with the above words or terms or other words or terms of the same import, in such manner that such markings will not be obliterated; and, II, in connection with the introduction or manufacture for introduction into commerce or the offering for sale, sale, transportation, or distribution in commerce, of wool fabrics or other wool products, as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool" "reprocessed wool", or "reused wool", as those terms are defined in said act, misbranding such products by: 1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers therein; 2. falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products, either directly or by implication, as to the country of origin thereof; 3. failing to affix securely to or place on each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner: (a) the percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five per centum of said total weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five per centum or more, and (5) the aggregate of all other fibers; (b) the maximum percentage of the total weight of such wool product of any nonfibrous loading, filling, or adulterating matter: (c) the name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce or in the offering for sale, sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939; prohibited, subject to the proviso, however, that the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939; and to the further provision that nothing contained in the order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder.

[1] New.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2–5, 54 Stat. 1128–1130; 15 U. S. C. 45, 68–68c) [Cease and desist order, Max Schwartz et al., t. a. Max Schwartz Company, New York, N. Y., Docket 6192, March 18, 1955]

In the Matter of Max Schwartz and Sarah Schwartz, Individuals and Co-partners, Trading as Max Schwartz Company

This proceeding was heard by Frank Hier, hearing examiner, theretofore duly designated by the Commission, upon the complaint of the Commission, which charged respondents with various deceptive acts and practices in violation of the Federal Trade Commission Act and the Wool Products Labeling Act; respondents' answer which denied partnership, admitted jurisdictional facts, and denied the charges; and upon various hearings at which testimony and exhibits were received in support of the complaint and filed of record in the office of the Commission, respondents offering no evidence.

Thereafter said examiner, upon final consideration of the foregoing, and the proposed findings and conclusions submitted by all counsel, made his initial decision in which, having found that the proceeding was in the interest of the public, he made his findings as to the facts, conclusion, and order, including order to cease and desist as to respondent Max Schwartz and his representatives, etc., and order of dismissal as to respondent Sarah Schwartz, as to whom there was no substantial evidence to indicate commercial partnership or complicity in or responsibility for the acts and practices charged.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII of the Commission's rules of practice, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order, accordingly, under the provisions of said Rule XXII became the decision of the Commission on March 18, 1955.

Said order to cease and desist is as follows:

It is ordered, That the respondent Max Schwartz, individually, trading as Max Schwartz Company, or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of fabrics, do forthwith cease and desist from:

1. Representing, directly or by implication, that fabrics manufactured in the United States are manufactured in any other country.

2. Selling fabrics known as "seconds" or "unmerchantables" without clearly and conspicuously marking said fabrics with the above words or terms or other words or terms of the same import, in such manner that such markings will not be obliterated.

It is further ordered, That the respondent, Max Schwartz individually, trading as Max Schwartz Company, or under any other name, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939, of wool fabrics or other wool products, as such products are defined in and subject to the Wool Products Labeling Act of 1939, which products contain, purport to contain, or in any way are represented as containing "wool," "reprocessed wool" or "reused wool," as those terms are defined in said act, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers therein.

2. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products, either directly or by implication, as to the country of origin thereof.

3. Failing to affix securely to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool product of any non-fibrous loading, filling or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce or in the offering for sale, sale, transportation, or distribution thereof in commerce, as "commerce" is defined in the Federal Trade Commission Act and in the Wool Products Labeling Act of 1939: *Provided,* That the foregoing provisions concerning misbranding shall not be construed to prohibit acts permitted by paragraphs (a) and (b) of section 3 of the Wool Products Labeling Act of 1939: *And provided further* That nothing contained in this order shall be construed as limiting any applicable provisions of said act or the rules and regulations promulgated thereunder:

It is further ordered, That complaint herein be, and the same hereby is, dismissed as to Sarah Schwartz, named as respondent herein.

By "Decision of the Commission and Order to File Report of Compliance", Docket 6192, March 18, 1955, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

It is ordered, That the respondent Max Schwartz, an individual trading as Max Schwartz Company, shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: March 18, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F. R. Doc. 55-3636; Filed, May 4, 1955; 8:53 a. m.]

[File No. 21-106]

PART 21—STEEL OFFICE FURNITURE INDUSTRY

ORDER RESCINDING RULES

Whereas, on July 8, 1931, the Commission promulgated trade practice rules for the Steel Office Furniture Industry, which were codified in the Code of Federal Regulations (16 CFR Part 21) and

Whereas, it appears that said rules for this industry do not in some respects accurately reflect existing requirements of law, and members of this industry generally are not interested in having such rules revised; and

Whereas, under the circumstances proceedings for revision of the rules for this industry do not appear to be warranted;

It is ordered, That the said rules be and the same are hereby rescinded.

Issued: May 2, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F. R. Doc. 55-3657; Filed, May 4, 1955; 8:53 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter E—Administrative Provisions Common to Various Taxes

[T. D. 6133]

PART 458—INSPECTION OF RETURNS

INSPECTION OF CERTAIN RETURNS BY COMMITTEES OF CONGRESS OTHER THAN THOSE ENUMERATED IN SECTION 55 (d) OF THE INTERNAL REVENUE CODE OF 1939

§ 458.324 *Inspection of returns by committees of Congress other than those enumerated in section 55 (d) of the Internal Revenue Code of 1939.* (a) (1) Pursuant to the provisions of sections 55 (a) 508, 603, 729 (a), and 1204 of the Internal Revenue Code of 1939 (53 Stat. 29, 111, 171, 54 Stat. 939, 1003; 55 Stat. 722; 26 U. S. C. 55 (a) 508, 603, 729 (a) and 1204) any return with respect to income, excess-profits, declared value excess-profits, capital stock, estate, or gift tax imposed by the Internal Revenue Code of 1939 shall be open to inspection by any committee of the Congress, or

[2] Filed as part of the original document.

any subcommittee of a committee of the Congress, specially authorized to inspect such returns by an Executive order[1] issued under the aforementioned statutory provisions on or after the date of the approval of this section. Such inspection shall be subject to the conditions and restrictions imposed by the Executive order and the rules and regulations hereinafter prescribed.

(2) Only such of the aforementioned returns as are specified in a resolution adopted by the committee in accordance with the rules of the appropriate house of the Congress then applicable to the reporting of a measure or recommendation from such committee shall be open to inspection. Such resolution shall set forth the names and addresses of the taxpayers whose returns it is necessary to inspect and the taxable periods covered by the returns. The inspection of returns authorized in this section may be made by the committee of the Congress, or the subcommittee of a committee of the Congress, authorized as provided in subparagraph (1) of this paragraph, acting directly as a committee or as a subcommittee, or by or through such examiners or agents as such committee or subcommittee may designate or appoint in its written request hereinafter mentioned. Upon written request by the chairman of such committee or of such subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns it is desired to inspect and the taxable periods covered by the returns and stating that the resolution hereinbefore mentioned with respect to the inspection of such returns has been duly adopted by such committee or by the committee under which such subcommittee functions, the Secretary or any officer or employee of the Department of the Treasury, with the approval of the Secretary, shall furnish such committee or subcommittee with any data relating to or contained in any such return or shall make such return available for inspection by such committee or subcommittee or by the examiners or agents designated or appointed by such committee or subcommittee. Such data shall be furnished, or such return shall be made available for inspection, in an office of the Internal Revenue Service. Any information thus obtained by such committee or subcommittee shall be held confidential: *Provided, however* That any portion thereof relevant or pertinent to the purpose of the investigation may be submitted by the investigating committee to the appropriate house of the Congress.

(3) This section shall not be applicable to any committee authorized by section 55 (d) of the Internal Revenue Code of 1939 to inspect returns.

(b) Because this section constitutes a general statement of policy and establishes a rule of Departmental practice and procedure, it is found that it is unnecessary to issue this section with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that act.

(c) This section shall be effective upon its filing for publication in the FEDERAL REGISTER.

(53 Stat. 467; 26 U. S. C. 3791)

G. M. HUMPHREY,
Secretary of the Treasury.

Approved: May 3, 1955.

DWIGHT D. EISENHOWER,
The White House.

[F. R. Doc. 55-3698; Filed, May 3, 1955; 5:02 p. m.]

[1] See Title 3, Executive Orders 10606 and 10607, *supra.*

TITLE 26—INTERNAL REVENUE, 1954

Chapter I—Internal Revenue Service, Department of the Treasury

[T. D. 6131]

TEMPORARY RULES FOR DATES FOR DEPOSITING, PAYING AND FILING RETURNS OF CERTAIN EXCISE TAXES

Temporary rules relating to the dates for making deposits and payments and for filing excise tax returns by certain persons required to collect and pay over certain excise taxes imposed by the Internal Revenue Code of 1954.

In order to prescribe temporary rules relating to the dates for making deposits and payments of certain excise taxes and for the filing of returns of such taxes under the Internal Revenue Code of 1954, Treasury Decision 6118, approved December 30, 1954, as amended by Treasury Decision 6124, approved February 24, 1955 (20 F. R. 1204), is further amended by adding at the end thereof the following paragraph:

PAR. 24. *Dates for depositing, paying, and filing returns of certain excise taxes.* (a) The rules set forth in this paragraph prescribe the dates on which persons described in (b) hereof are required to file returns on Form 720 reporting the excise taxes imposed under section 4251 (communications) 4261 (transportation of persons), or 4271 (transportation of property) of the Internal Revenue Code of 1954 and the dates on which such persons are required to deposit and pay over such taxes to the United States. All other requirements relating to the filing of returns and the depositing and payment of such taxes set forth in the applicable regulations and Treasury Decision 6025, approved July 3, 1953, as made applicable to the Internal Revenue Code of 1954 by Treasury Decision 6091, signed August 16, 1954, remain in full force and effect.

(b) In the case of any person who obtained a permanent extension of time (which extension was in effect on December 31, 1954) for filing any return and making any deposit or payment of the taxes imposed under section 3465, 3469, or 3475 of the Internal Revenue Code of 1939, each quarterly return (Form 720) of the excise taxes imposed under section 4251, 4261, or 4271 of the Internal Revenue Code of 1954 shall be filed, and each deposit and payment of such excise taxes shall be made, on or before the last day which would have been fixed under such permanent extension of time for filing the return and for making the deposit and payment of the excise taxes imposed under the corresponding section of the Internal Revenue Code of 1939, as the case may be, if the Internal Revenue Code of 1939 had not been repealed.

Because the rules prescribed herein are of a liberalizing character, it is hereby found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitations of section 4 (c) of said act.

(Sec. 7805, 68A Stat. 917; 26 U. S. C. 7805. Interprets or applies secs. 6071, 6302, 68A Stat. 749, 775; 26 U. S. C. 6302, 7805)

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

Approved: April 29, 1955.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 55-3651; Filed, May 4, 1955; 8:49 a. m.]

Subchapter F—Procedure and Administration

[T. D. 6132]

PART 301—PROCEDURE AND ADMINISTRATION

INSPECTION OF CERTAIN RETURNS BY COMMITTEES OF CONGRESS OTHER THAN THOSE ENUMERATED IN SECTION 6103 (d) OF THE INTERNAL REVENUE CODE OF 1954

§ 301.6103 (a)-101 *Inspection of returns by committees of Congress other than those enumerated in section 6103 (d) of the Internal Revenue Code of 1954.* (a) (1) Pursuant to the provisions of section 6103 (a) of the Internal Revenue Code of 1954 (68A Stat. 753; 26 U. S. C. 6103 (a)), any return with respect to income, estate, or gift tax imposed by the Internal Revenue Code of 1954 shall be open to inspection by any committee of the Congress, or any subcommittee of a committee of the Congress, specially authorized to inspect such returns by an Executive order[1] issued under the aforementioned statutory provisions on or after the date of the approval of this section. Such inspection shall be subject to the conditions and restrictions imposed by the Executive order and the rules and regulations hereinafter prescribed.

(2) Only such of the aforementioned returns as are specified in a resolution adopted by the committee in accordance with the rules of the appropriate house of the Congress then applicable to the reporting of a measure or recommendation from such committee shall be open to inspection. Such resolution shall set forth the names and addresses of the taxpayers whose returns it is necessary to inspect and the taxable periods covered by the returns. The inspection of returns authorized in this section may be made by the committee of the Congress, or the subcommittee of a committee of the Congress, authorized as provided in subparagraph (1) of this

[1] See Title 3, Executive Orders 10606 and 10607, *supra.*

paragraph, acting directly as a committee or as a subcommittee, or by or through such examiners or agents as such committee or subcommittee may designate or appoint in its written request hereinafter mentioned. Upon written request by the chairmen of such committee or of such subcommittee to the Secretary of the Treasury, giving the names and addresses of the taxpayers whose returns it is desired to inspect and the taxable periods covered by the returns and stating that the resolution hereinbefore mentioned with respect to the inspection of such returns had been duly adopted by such committee or by the committee under which such subcommittee functions, the Secretary or any officer or employee of the Department of the Treasury, with the approval of the Secretary, shall furnish such committee or subcommittee with any data relating to or contained in any such return or shall make such return available for inspection by such committee or subcommittee or by the examiners or agents designated or appointed by such committee or subcommittee. Such data shall be furnished, or such return shall be made available for inspection, in an office of the Internal Revenue Service. Any information thus obtained by such committee or subcommittee shall be held confidential: *Provided, however* That any portion thereof relevant or pertinent to the purpose of the investigation may be submitted by the investigating committee to the appropriate house of the Congress.

(3) This section shall not be applicable to any committee authorized by section 6103 (d) of the Internal Revenue Code of 1954 to inspect returns.

(b) Because this section constitutes a general statement of policy and establishes a rule of Departmental practice and procedure, it is found that it is unnecessary to issue this section with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of that act.

(c) This section shall be effective upon its filing for publication in the FEDERAL REGISTER.

(Sec. 7805, 68A Stat. 917; 26 U. S. C. 7805. Interprets or applies sec. 6103, 68A Stat. 753; 26 U. S. C. 6103)

G. M. HUMPHREY,
Secretary of the Treasury.

Approved: May 3, 1955.

DWIGHT D. EISENHOWER,
The White House.

[F. R. Doc. 55-3697; Filed, May 3, 1955; 5:02 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter I—Transport

PART 631—GENERAL TRANSPORT REGULATIONS

OVERSEA MOVEMENT OF INDIVIDUALS ON ARMY TRANSPORTS; REVOCATION

Sections 631.2 *Commercial passengers,* 631.3 *Transportation of individuals,* 631.4 *Stowaways and workaways,* 631.5 *Articles of an explosive or highly combustible nature excluded from baggage,* and 631.6 *Transport messes* are revoked.

[DA Cir. 310-16, revoking AR 55-390, AR 55-410, and AR 55-520] (R. S. 161; 5 U. S. C. 22)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 55-3627; Filed, May 4, 1955; 8:45 a. m.]

Chapter VII—Department of the Air Force

Subchapter F—Reserve Forces

PART 861—OFFICERS' RESERVE

MISCELLANEOUS AMENDMENTS

In § 861.1005, paragraph (b) is revised, a new paragraph (c) is added to § 861.1008 and paragraph (h) in § 861.1010 is revised as follows:

§ 861.1005 *Mobilization designation.* * * *

(b) *Ineligibility.* Mobilization designations will not be given to Reservists who are serving on extended active duty in any status. Obligors (meaning individuals having a Reserve obligation under Section 4, Universal Military Training and Service Act) will be assigned only to the Mobilization Assignment Reserve Section. They are not eligible for mobilization designation positions unless such assignment is approved by the Commander, Continental Air Command, or his authorized representative.

* * * * *

§ 861.1008 *Requisitioning Air Force Reserve personnel.* * * *

(c) Career summaries will normally consist of reproduced copies of individual qualification records supplemented by additional pertinent information.

§ 861.1010 *Training.* * * *

(h) *Waivers of training requirements for mobilization designees.* Effective July 1, 1955, commanders will not grant waivers of minimum annual requirements for retention of active status. Waivers in effect on June 30, 1955 will terminate on that date.

* * * * *

[AFR 45-3A, Mar. 31, 1955] (Sec. 251, 66 Stat. 495; 50 U. S. C. 1002. Interpret or apply secs. 101-259, 601-603, 66 Stat. 481-498, 501; 50 U. S. C. 901-1010, 1091-1093)

[SEAL] E. E. TORO,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 55-3625; Filed, May 4, 1955; 8:45 a. m.]

PART 862—AIR FORCE RESERVE OFFICERS' TRAINING CORPS

MISCELLANEOUS AMENDMENTS

Paragraph (c) of § 862.78, the heading and paragraph (d) of § 862.81, and § 862.86 are revised as follows:

§ 862.78 *Definitions.* * * *

(c) *PAS—Professor of air science.* (References to "PAST" in §§ 862.76 to 862.87 will be changed to "PAS.")

* * * * *

§ 862.81 *Selection of Air Force ROTC students for deferment.* * * *

(d) *Redeferments.* Students who have been deferred and whose deferments were subsequently canceled are not again eligible for deferment under §§ 862.76 to 862.87 without the approval of the Commandant, Air Force ROTC. The Commandant may delegate redeferment authority to PASs as desired.

§ 862.86 *Notification of local boards.* (a) When a student has signed a deferment agreement, the PAST will immediately furnish the local Selective Service System board concerned a statement of the student's deferment status. Paragraph 6 of DD Form 44, "Military Status of Individual," will be used for this purpose, and copies will be distributed as follows:

(1) Original to the appropriate local board.

(2) Duplicate to the student concerned.

(3) Triplicate to be retained in the Air Force ROTC unit file.

(4) Quadruplicate, when applicable, to the unit commander or the custodian of the person's records when the person concerned is concurrently a member of a Reserve component.

(b) Change of status of a student, after submission of original status notification, will be reported by the PAST to the local Selective Service System board concerned, within 72 hours, following the distribution procedure used for the original report. Paragraphs 8 and 9, DD Form 44, will be used for reporting changes of status when a student becomes ineligible for an Air Force ROTC deferment. Paragraphs 8 and 10, DD Form 44, will be used to report the appointment of an Air Force ROTC graduate as a commissioned officer. The "Remarks" section will be used when necessary for clarification of change of status.

(c) In addition to paragraphs (a) and (b) of this section, each PAS will submit, at the close of each calendar year, DD Form 44 for those cadets under Air Force ROTC deferment.

(d) The Air Force ROTC cadet who is deferred under §§ 862.76 to 862.87 will inform the PAS of the number and address of his local Selective Service System board and will inform the board concerned of his Air Force ROTC deferment status.

(e) If a local board fails or refuses to honor DD Form 44 for any member of the Air Force ROTC, the Director of Personnel Procurement and Training, Headquarters USAF, Washington 25, D. C., will be advised by the most expeditious means of all facts of the case. In addition, an information copy will be forwarded through command channels.

(f) When an Air Force cadet transfers to another institution having an Air Force ROTC unit, the following procedures will apply:

(1) The cadet will notify the PAS of the losing institution of his intention to transfer. The losing PAS will make

note of this intention, but will not take any immediate action.

(2) As soon as the cadet has registered at the gaining institution and has been regularly enrolled in the appropriate air science course, the gaining PAS will notify the losing PAS that:

(i) The cadet is regularly enrolled in Air Force ROTC.

(ii) The new DD Form 44 has been sent to the cadet's local Selective Service System board.

(3) The losing PAS will then drop the cadet from accountability and will submit a DD Form 44 to the local Selective Service System board rescinding the previous form and indicating the cadet has transferred to the gaining Air Force ROTC unit.

(g) PAS will cancel the deferment of all nonenrolled cadets at their institutions not later than October 15, after the fall enrollment and March 15, after the spring enrollment.

[AFR 45-52A, Feb. 2, 1955] (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply secs. 3, 6, 12, 62 Stat. 605, 609, 622, as amended; 50 U. S. C. App. 453, 456, 462)

[SEAL] E. E. TORO,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 55-3624; Filed, May 4, 1955; 8:45 a. m.]

Subchapter G—Personnel

PART 881—PERSONNEL REVIEW BOARDS

AIR FORCE DISABILITY REVIEW BOARD

Sections 881.30, 881.32, paragraphs (c), (d) and (e) of § 881.34, paragraphs (a), (b) and (c) of § 881.35, paragraph (b) of § 881.36 and § 881.38 are revised as follows:

§ 881.30 *Constitution and purpose.* The Air Force Disability Review Board (hereinafter referred to as the Review Board) is an administrative agency established within the Department of the Air Force pursuant to section 302 of the Servicemen's Readjustment Act of 1944, as amended (58 Stat. 287, as amended; 38 U. S. C. 693i), Transfer Order 16 (13 F R. 3461), to review, at the request of an officer retired or released from active service, without pay for physical disability pursuant to the decision of a retiring board, disposition board or physical evaluation board, the findings and decisions of such board.

§ 881.32 *Application for review.* (a) Any officer desiring a review of his case will make a written application therefor on AF Form 436, "Application for Review of Department of the Air Force Retiring Board Proceedings," and AF Form 436a, "Supplement to Application for Review of the Department of the Air Force Retiring Board Proceedings."

(b) An application for review will not be granted unless received by the Department of the Air Force prior to June 22, 1959, or within 15 years after the date on which the officer was separated from the service or released to inactive service, without pay, for physical disability, whichever date is later.

(c) Upon receipt of an application for review, the Director of Military Personnel will note thereon the time of receipt thereof and, in cases where the jurisdiction for review by the Review Board is established, will assemble the originals or certified copies of all available service and/or other records pertaining to the health and physical condition of the applicant, including the record of the proceedings and findings of all retiring, disposition, and physical evaluation boards in question and the records of all administrative and/or executive action taken thereon. The records, together with the application and any supporting documents submitted therewith, will be transmitted to the president of the Review Board.

(d) Upon receipt of an application for review of the findings and decision of a disposition board, the Director of Military Personnel, in cases where the jurisdiction for review by the Review Board has been established, will authorize the applicant to appear at his own expense before a physical evaluation board. If the applicant then goes before a physical evaluation board and, after the usual administrative procedure, is certified for retirement pay benefits, a further review is not required. If the approved decision of the physical evaluation board is that the disability is not the result of an incident of the service or if the physical evaluation board finds that a disability does not exist, or if the officer states he does not desire to appear in person before a physical evaluation board, the Director of Military Personnel will then refer the case to the Review Board for review under section 302, of the Servicemen's Readjustment Act of 1944, as amended.

§ 881.34 *Hearings.* * * *

(c) An applicant may waive his right to a personal hearing in writing or by his failure to appear in person or by counsel at the appointed time and place. In the event of a waiver of appearance, the board will nevertheless consider the case on the record.

(d) In the conduct of its inquiries, the Review Board will not be limited by the restrictions of rules of evidence.

(e) In a case wherein it is advisable and practicable, the Review Board, upon its own motion, may request any Armed Forces medical facility to detail one or more medical officers to make a physical examination of the applicant, if available, and report the examination results either in person or by affidavit. When testifying in person at a hearing, such medical witnesses will be subject to cross-examination. Similarly, the medical members of the Review Board may examine the applicant, if available, and testify as witnesses concerning the results of the examination.

* * * * *

§ 881.35 *Findings and conclusions.* (a) The Review Board will make findings in closed session in each case. Such findings will include a finding affirming or reversing the findings of the retiring, disposition, or physical evaluation board under review and of the administrative action taken subsequent thereto, specifying which of the findings and administrative actions are affirmed and which are reversed.

(b) In the event the Review Board reverses any of such original findings, the Review Board will then make substitute findings for those reversed so that the affirmed and substituted findings will aggregate the following complete findings:

(1) Whether the applicant was permanently disabled for active service at the time of his separation from the service or released to inactive service.

(2) The cause or causes of the disability.

(3) The approximate date of origin of each disabling defect.

(4) The date the officer became disabled for active service.

(5) Whether the cause or causes of the disability was or was not an incident of the service.

(6) Whether the cause or causes of the disability had been permanently aggravated by military service.

(7) Whether the disability for active service was or was not the result of an incident of the service.

(8) Whether the officer's disability was incurred in combat with an enemy of the United States.

(9) Whether the officer's disability, if incurred prior to January 1, 1951, resulted from an explosion of an instrumentality of war in line of duty, or whether the disability, if incurred subsequent to January 1, 1951, was caused by an instrumentality of war in line of duty.

(c) In the event the Review Board finds the officer permanently incapacitated for active service and that the incapacity was an incident of the service, it will make an additional finding specifying the grade in which the officer is entitled to be retired or to be certified for retirement pay benefits or the benefits provided by the Career Compensation Act of 1949 as amended (63 Stat. 802)

* * * * *

§ 881.36 *Disposition of proceedings.* * * *

(b) Normally, all records of the proceedings of the Review Board will be without clasification. Upon written request from the applicant, his guardian, or legal representative, the Director of Military Personnel will furnish a copy of the proceedings of the Review Board, less any exhibits which may be found impracticable to reproduce, but which will include:

(1) A copy of the order appointing the Review Board.

(2) The findings of the retiring or physical evaluation board affirmed.

(3) The findings of the retiring or physical evaluation board reversed.

(4) The findings of the Review Board.

(5) The conclusions which were made by the Review Board.

(6) The directions of the Secretary of the Air Force.

If it should appear that furnishing this information would prove injurious to the physical or mental health of the applicant, the information will be furnished only to the guardian or legal representative of the applicant. The Director of Military Personnel, subject to the fore-

going restrictions, will make available for inspection, upon request of the applicant, his guardian, or legal representative, a record of the proceedings of any case reviewed by the Review Board.

* * * * *

§ 881.38 *Rehearings.* (a) After the Review Board has reviewed a case and its findings and decision has been approved, the case normally will not be reconsidered, except on the basis of new, pertinent, and material evidence which might reasonably be expected to cause findings and decision other than those rendered as the result of the original review.

(b) Any officer desiring a rehearing of his case will make a written application therefor on AF Form 437, "Application for Review of Findings of the Department of the Air Force Disability Review Board."

[AFR 36-29, Sept. 29, 1954] (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply secs. 301, 302, 58 Stat. 286, 287, as amended; 38 U. S. C. 693h, 6931)

[SEAL] E. E. TORO,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 55-3626; Filed, May 4, 1955; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix C—Public Land Orders

[Public Land Order 1139]

ALASKA

RESERVING CERTAIN PUBLIC LANDS FOR USE OF DEPARTMENT OF THE ARMY; PARTLY REVOKING PUBLIC LAND ORDER NO. 386 OF JULY 31, 1947

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, including the rights of natives based on occupancy, the following described public land in Alaska is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws and the mineral-leasing laws, and reserved in connection with lands withdrawn by Public Land Order No. 765 of November 23, 1951, for the use of the Department of the Army for military purposes:

NORTHWAY

Beginning at a point from which corner No. 4, U. S. Survey No. 2781, latitude 63°00'5" N., longitude 141°47'00" W., bears S. 32°06' E. 600 feet, and S. 2°08' W. 1,372.40 feet; thence N. 32°06' W., 200 feet; N. 57°54' E., 510 feet; S. 32°06' E., 200 feet; S. 57°54' W., 510 feet; to the point of beginning.

The area described contains 2.34 acres.

This order shall take precedence over, but not otherwise affect, the withdrawal for the Alaska Highway made by Public Land Order No. 601 of August 10, 1949.

Public Land Order No. 386 of July 31, 1947, withdrawing lands for various public purposes including classification and survey, is hereby revoked so far as it affects the above-described lands.

ORME LEWIS,
Assistant Secretary of the Interior,

APRIL 28, 1955.

[F. R. Doc. 55-3632; Filed, May 4, 1955; 8:46 a. m.]

[Public Land Order 1140]

ALASKA

WITHDRAWING LANDS FOR USE OF ALASKA ROAD COMMISSION; PARTIALLY REVOKING EXECUTIVE ORDER OF JUNE 13, 1899, AS AMENDED BY EXECUTIVE ORDER NO. 4131 OF JANUARY 22, 1925

By virtue of the authority vested in the President and purusant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public land in Alaska is hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for use of the Alaska Road Commission:

Beginning at a point from which corner No. 1, U. S. Survey No. 353, being the intersection of the center of C Street, Eagle Townsite, with the left bank of the Yukon River, bears S. 21° 27' E., 170 feet and N. 63° 03' E., 1,003 feet, thence S. 63° 03' W., 300 feet; N. 21° 57' W., 300 feet; N. 63° 03' E., 300 feet; S. 21° 57' E., 300 feet to point of beginning.

The tract described contains 2.06 acres.

The Executive Order of June 13, 1899, as amended by Executive Order No. 4131 of January 22, 1925, withdrawing certain lands in Alaska for military purposes is hereby revoked so far as it affects the above-described lands.

ORME LEWIS,
Assistant Secretary of the Interior.

APRIL 28, 1955.

[F. R. Doc. 55-3631; Filed, May 4, 1955; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 941]

[Docket No. AO-101-A19]

MILK IN CHICAGO, ILLINOIS, MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVELY APPROVED MARKETING AGREEMENT AND TO ORDER, AS AMENDED, REGULATING HANDLING

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in the Century Room, LaSalle Hotel, La Salle and Madison Streets, Chicago, Illinois, beginning at 10:00 a. m., c. d. s. t., on May 9, 1955, for the purpose of receiving evidence with respect to amending the tentative marketing agreement and the order, as amended, regulating the handling of milk in the Chicago, Illinois marketing area.

Evidence will be received at the hearing with respect to only the price for Class I milk. References to the price for Class II milk contained herein are to be considered only as relating to changes which conform order provisions to proposed changes in the Class I price.

Specific proposed amendments which have been submitted are as follows:

By the Pure Milk Association:

1. In § 941.51 add a paragraph (d) as follows:

(d) Determine the number of qualified producers delivering milk during the most recent month. The Class I and Class II price differentials shall be increased or decreased ¾-cent per hundredweight for each 100 producers or major part thereof, more or less than 23,000.

2. In § 941.52 add another proviso to paragraph (a) (1) to read: "*Provided,* That such Class I price differentials shall be increased or decreased, respectively, 1½ cents per hundredweight for each full percent that the current supply-demand ratio is greater or less than 72 percent. The adjustments resulting from the above computations shall not exceed 24 cents per hundredweight."

3. In § 941.52 change paragraph (a) (1) to make Class I price differentials $1.10 per hundredweight for August, September, October and November, and 90 cents per hundredweight for all other months.

By the Pure Milk Products Cooperative:

4. Amend § 941.52 to provide for a Class I differential of $1.00 per hundredweight to be added to the basic formula price during each delivery period of the year.

5. Amend §§ 941.51 and 941.52 to provide for the elimination or modification of the supply-demand adjustor provision of Order 41 as it effects the Class I and Class II price differentials.

By the Pure Milk Association:

6. In § 941.52 (a) (3) and (b) (3) add the following:

Class I or Class II milk moved in bulk to unregulated plant(s) shall be classified separately and during the months of September, October and November, the price thereof shall be 70 cents per hundredweight higher than the price otherwise computed.

Any handler selling Class I or Class II milk in bulk to unregulated plant(s) during the months of April, May and

June may sell an equal quantity of Class I or Class II milk in bulk to unregulated plant(s) during the months of September, October and November of the same year without the 70 cents per hundredweight above described being applied.

By the Barron Cooperative Creamery· Wisconsin Cooperative Dairies, Inc., Farmers Cooperative Creamery· and Falls Dairy, Inc..

7. Delete § 941.52 (a) (3) and (b) (3) to eliminate the $0.70 higher price.

By the Dairy Division, Agricultural Marketing Service:

8. Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

These proposed amendments have not received the approval of the Secretary of Agriculture. With respect to other proposals which have been submitted but are not included in this notice, hearing is deferred.

Copies of this notice of hearing and of the said order, as amended, may be procured from the Market Administrator, 73 West Monroe Street, Chicago 3, Illinois, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: May 2, 1955.

[SEAL] ROY W LENNARTSON,
Deputy Administrator

[F. R. Doc. 55-3663; Filed, May 4, 1955; 8:52 a. m.]

[7 CFR Part 987]

[Docket No. AO 252-A1]

MILK IN CENTRAL MISSISSIPPI MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER REGULATING HANDLING

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part, 900) notice is hereby given of a public hearing to be held in Assembly Room, State Office Building, Jackson, Mississippi, beginning at 1:00 p. m., local time, May 9, 1955, for the purpose of receiving evidence with respect to the proposed amendments hereinafter set forth, or appropriate modification thereof to the tentative marketing heretofore approved by the Secretary of Agriculture and to the order regulating the handling of milk in the Central Mississippi marketing area (7 CFR Part 987 et seq.) The proposed amendments have not received the approval of the Secretary of Agriculture.

The following amendments to the order regulating the handling of milk in the Central Mississippi marketing area are proposed by the Mississippi Milk Producers Association:

1. Amend § 987.90 by inserting the following as paragraph (d)

(d) (1) On or before the 13th and 26th days of each month in lieu of the payment pursuant to paragraphs (a) and (b) and (c) of this section, respectively, each handler shall pay to a cooperative association which so requests, with respect to producers for whose milk such cooperative association is authorized to collect payment, an amount equal to the sum of the individual payments otherwise payable to such producers;

(2) A copy of the request from the cooperative association to each handler for payment to the cooperative association of the sums due to such producers for whose milk such cooperative association is authorized to collect payment and a certified list of the members of such cooperative association for whom payment is requested shall be filed simultaneously with the handler and the market administrator by the cooperative and shall be subject to verification at the discretion of the market administrator through audit of the records of the cooperative association requesting payment. Exception, if any, to the accuracy of such certified list of members by a producer claimed to be a member or be a handler shall be made by written notice to the market administrator and shall be subject to his determination.

2. Reletter the present paragraph (d) of § 987.90 as paragraph (e)

3. Amend § 987.44 to effect the following: "That skim milk or butterfat transferred from a handler operating a supply plant to a handler operating a distributing plant shall be classified as Class II milk or that the classification of such milk between Class I and Class II shall be prorated on the basis of the relationship in total amount of milk received from such supply plant, and the regular current producers of the handler operating the distributing plant."

The following amendment to the order is proposed by the Dairy Division, Agricultural Marketing Service:

4. Make such changes as may be necessary to conform the provisions of the marketing agreement and order with any amendments thereto which may result from this hearing.

Copies of this notice of hearing, and the order now in effect, may be procured from the market administrator, Rooms 204-6, Fondren Bank Branch Building, 603 Duling Street, Jackson, Mississippi, or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Dated: May 3, 1955.

[SEAL] ROY W LENNARTSON,
Deputy Administrator

[F. R. Doc. 55-3669; Filed, May 4, 1955; 8:54 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 20]

PILOT AND INSTRUCTOR CERTIFICATES

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board a revision of Part 20 of the Civil Air Regulations.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by August 10, 1955. Copies of such communications will be available after August 15, 1955, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

Currently effective Part 20 establishes requirements for the issuance of student, private, and commercial pilot certificates, and for aircraft, instrument, and instructor ratings. Experience under this part has shown that some of the standards are too specific while others are not specific enough. Moreover, it appears desirable to propose a number of substantive changes to this part. In view of the many changes being considered, a complete revision is being proposed.

The part, as proposed, is divided into several subparts of which the first contains general provisions that apply to all types of pilot certificates. Then there are subparts for student, private, and commercial pilot certificates, with each of these being further divided into requirements for airplane, glider, and rotorcraft ratings. Therefore, as an example, a person desiring a private pilot certificate with an airplane rating need refer only to the general requirements plus those listed under private pilot for airplanes. In addition, there are subparts which provide for the issuance of flight instructor certificates and additional aircraft and instrument ratings to persons holding pilot certificates, and the special issuance of pilot certificates, such as to persons who are or were rated pilots in the military services or hold a foreign pilot license.

The following specific changes have been incorporated in this notice:

(a) *Student pilot certificates.* (1) Student pilot certificates may be issued to applicants who are under the present minimum ages, but such student pilot certificates shall be limited to solo flights within the local flying area and under the direct supervision of a flight instructor. We have received several requests for waivers of the minimum age requirements for student pilots, and such a waiver has been granted for a con-

trolled glider training program. The issuance of a restricted student pilot certificate to under-age applicants should succeed in arousing the interest of our youth in aviation before it is diverted to other channels. Moreover, it is believed that this change will not adversely affect safety.

(2) The parental consent requirement for minors has been deleted from this draft. This requirement does not seem to serve any realistic safety purpose, and appears to impose an undue burden on the applicant for a pilot certificate since persons less than 21 years of age are inducted into the armed services, can exercise property rights, can marry, and are able to secure automobile driving licenses without parental consent.

(3) The requirements for first solo and solo cross-country certificate endorsements for student pilots have been retained and expanded to include the instructional items which must be completed before the flight instructor will endorse a student's pilot certificate as evidence of his being qualified for first solo or for cross-country flights. It is anticipated that the modified requirements will improve the thoroughness of flight instruction and at the same time give the student a clearer understanding of the procedures and maneuvers in which he should receive instruction.

(b) *Private pilot certificates*—(1) *Powered aircraft.* (i) The minimum of 40 hours flight time is the same as at present, but 15 hours of solo time will be required in the particular category of powered aircraft, with 5 hours of solo cross-country required in airplanes, and 3 hours in rotorcraft for these respective ratings. The dual instruction required for first solo and solo cross-country endorsements takes the place of the presently required 15 hours of dual instruction which has been deleted in this draft.

(ii) The flight test has been modified to consist of basic air work and the satisfactory completion of the principal steps in making a cross-country flight. With this arrangement, the flight test can be completed on a single flight and still provide the examiner with a satisfactory basis for judging the applicant's ability to conduct a safe cross-country flight.

(2) *Glider* The experience and skill requirements for a private pilot certificate with glider rating are unchanged except that the applicant's student pilot certificate must have been endorsed for first solo and solo cross-country to assure that he has had adequate dual flight instruction.

(c) *Commercial pilot certificates*—(1) *Airplanes.* The experience requirements are modified by requiring 50 hours in airplanes, and 50 hours of cross-country as pilot in command. A total of 15 hours of dual instruction in airplanes will be required. The specified flight time in the particular category of aircraft is included to make sure that an applicant with multiple-category flight time will have adequate experience in the category in which he is to be rated.

(2) *Rotorcraft.* Except for the 100 hours as pilot in command and the 20 hours of cross-country, all of the experience requirements and all of the flight test items are new.

(3) *Glider* The experience requirements are modified by requiring the applicant to have had 3 hours of flight time in a glider suitable for cross-country flying. This change is in recognition of the advances made in soaring, and since a commercial glider pilot may give flight instruction in gliders, it seems reasonable that he should be competent to fly the advanced types of gliders.

(d) *Aircraft ratings.* (1) The requirements for securing an additional category rating are modified by adding a new experience requirement of 5 hours or 10 glider flights as appropriate, while serving as pilot in command in the category of aircraft for which a rating is sought. The applicant must also meet the total time requirement for the original issuance of his grade of certificate with the category rating sought.

(2) The applicant for an additional class or type rating must have made at least 3 take-offs and landings as pilot in command in the appropriate class or type of aircraft, and pass an appropriate flight test. It seems essential that the applicant have at least some experience as pilot in command in the class or type of aircraft for which he is to be rated.

(e) *Instrument rating.* The total instrument time is unchanged, but 10 hours of instrument flight instruction by a flight instructor with an instrument rating has been added. This instruction should result in a marked improvement in the competency of applicants for instrument ratings.

(f) *Flight instructor certificates.* The instructor rating which is now issued in connection with a basic pilot certificate is changed to a senior flight instructor certificate with the same indefinite duration as the rating and a new junior flight instructor certificate of two years' duration has been created. With this arrangement an applicant who qualifies for the initial issuance of a flight instructor certificate will receive a junior flight instructor certificate of limited duration that will enable him to gain some experience in giving flight instruction and to establish a record that he can use to substantiate his instructing ability as necessary for obtaining a senior flight instructor certificate of indefinite duration.

Also the flight instructor is required to endorse the student's record of each dual instruction flight and to keep his own record of his endorsements on student pilot certificates and of all flight instruction that he gives. This requirement will make it possible to give proper credit for good instruction as well as to place responsibility for student accidents attributable to improper or incompetent instruction.

It is anticipated that changing the flight instructor rating to an independent certificate will add prestige to the flight instructing profession and the instructor's pilot certificate need not necessarily be jeopardized by any action which may arise from his flight instruction activities. In addition, the introduction of the junior flight instructor certificate with its limited duration should encourage the new instructor to put forth greater effort in establishing a good record as a flight instructor and qualify for a senior flight instructor certificate.

Copies of the proposed revised part and charts comparing the proposed changes with currently effective certification and rating requirements are set forth below.

This revision is proposed under authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601–610, 52 Stat. 1007–1012, as amended; 49 U. S. C. 551–560)

Dated at Washington, D. C., April 28, 1955.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

Subpart A—General

Subpart B—Student Pilot Certificates

AIRPLANE RATING

ROTORCRAFT RATING

GLIDER RATING

Subpart C—Private Pilot Certificates

AIRPLANE RATING

ROTORCRAFT RATING

GLIDER RATING

SUBPART A—GENERAL

§ 20.1 *Scope.* This part prescribes standards for the issuance of student, private, and commercial pilot and flight instructor certificates and aircraft and instrument ratings. Regulations for the issuance of airline transport and lighter-than-air pilot certificates are specified in Parts 21 and 22 of this subchapter.

§ 20.2 *Issuance.* (a) A student, private, or commercial pilot, or flight instructor certificate with appropriate aircraft ratings shall be issued by the Administrator to an applicant who meets the applicable requirements. Additional aircraft category, class, and type, and instrument ratings for which the pilot has been found qualified shall be issued in connection with a pilot certificate.

(b) An applicant for a pilot certificate who holds a currently effective pilot certificate issued by a foreign government may receive credit for those examinations and tests which he completed in securing his pilot certificate and which the Administrator has found to be at least the equivalent of those required in the Civil Air Regulations for the issuance of a comparable pilot certificate.

§ 20.3 *Duration of certificates.* (a) Student pilot and junior flight instructor certificates shall expire 24 calendar months after the date of issuance.

(b) Private and commercial pilot and senior flight instructor certificates shall remain in effect until surrendered, suspended, or revoked, or a general termination date is set by the Board.

(c) A temporary pilot certificate for a period not to exceed 90 days may be granted to an applicant pending issuance of the certificate or rating sought.

§ 20.4 *Application.* Application for a pilot certificate or any rating shall be made on a form furnished by the Administrator.

§ 20.5 *Administration of tests.* The prescribed examinations and tests shall be given by a person acceptable to the Administrator.

§ 20.6 *Physical examination.* Prior to taking a flight test for a pilot certificate or rating, the applicant shall hold a valid medical certificate appropriate to the certificate or rating sought.

§ 20.7 *Aircraft used in flight tests.* The applicant shall furnish a certificated aircraft suitable for the flight test prescribed for the certificate or rating sought.

§ 20.8 *Logging of flight time.* All flight time used to meet the experience requirements for any pilot certificate, rating, designation, or operating privilege shall be substantiated by a reliable record. The logging of other flight time is not required. Such record shall include the following information:

(a) *General.* (1) Date,
(2) Duration,
(3) Type of aircraft, and
(4) Identification mark.

(b) *Type of piloting.* (1) Pilot-in-command,
(2) Second pilot,
(3) Dual instruction, or
(4) Flight simulator.

(c) *Conditions of flight.* (1) Day VFR,
(2) Night VFR, or
(3) Instrument flight.

§ 20.9 *Change of address.* Within 30 days after any change in permanent address, the holder of a pilot certificate shall notify the Administrator in writing of such change. This notice shall be mailed to the Airman Records Branch, Civil Aeronautics Administration, Washington 25, D. C.

§ 20.10 *Identification card.* The holder of a certificate issued under the provisions of this part shall not, except while engaged in operations conducted by a scheduled air carrier, exercise the privileges conferred by the certificate unless he has in his personal possession a current airman identification card or other identification card acceptable to the Administrator which duly describes him. The airman identification card may be obtained from the Administrator who shall prescribe its form and the manner of applying for it.

SUBPART B—STUDENT PILOT CERTIFICATES

AIRPLANE RATING

§ 20.11 *Age.* No age limit but if the applicant is less than 16 years of age a restriction shall be placed on his student pilot certificate requiring all solo flights to be under the direct supervision of a flight instructor and confined to the local flying area until the holder is 16 years of age.

§ 20.12 *Citizenship.* No requirements.

§ 20.13 *Education.* The applicant shall be able to speak and understand the English language, or an appropriate operation limitation shall be placed on his student pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.14 *Physical standards.* The applicant shall hold at least a valid third class medical certificate issued in accordance with the physical standards prescribed in Part 29 of this subchapter.

§ 20.15 *Requirements for first solo.* A student pilot shall not operate an airplane in solo flight until:

(a) He is familiar with the general and visual flight rules of Part 60 of this subchapter and such preparatory procedures as preflight inspection and starting, warming-up, operating, and stopping the engine;

(b) He has received dual instruction in taxiing, take-offs, landings, and parking; traffic pattern procedures; level flight, turns, climbs, and glides; stalls and emergency landings; and recovery from spins unless the instruction is given in nonspinnable airplanes; and

(c) He has been found competent by a flight instructor to make solo flights, and authority therefor has been endorsed by such instructor on his student pilot certificate.

§ 20.16 *Flight area limitations.* A student pilot shall not operate an airplane outside of a local area designated by his flight instructor until:

(a) He is familiar with such flight planning steps as plotting courses, estimating time en route and fuel required, and obtaining and evaluating weather reports;

(b) He has received dual instruction in crosswind and simulated soft-field take-offs and landings; climbing and gliding turns at minimum safe speeds; cross-country navigation by reference to aeronautical charts; conforming with air traffic control instructions furnished by radio or lights as appropriate; safe operating practices in simulated emergencies which might occur due to engine failure, loss of flying speed, deteriorating weather, getting lost, and similar critical situations; and has had a demonstration of straight flight and turns solely by reference to instruments; and

(c) He has been found competent by a flight instructor to make solo cross-country flights and authority therefor has been endorsed by such instructor on his student pilot certificate.

§ 20.17 *Airplane type limitations.* A student pilot shall operate in solo flight

only those types of airplanes that have been endorsed on his student pilot certificate by a flight instructor.

ROTORCRAFT RATING

§ 20.20 *Age.* No age limit but if the applicant is less than 16 years of age a restriction shall be placed on his student pilot certificate requiring all solo flights to be under the direct supervision of a flight instructor and confined to the local flying area until the holder is 16 years of age.

§ 20.21 *Citizenship.* No requirements.

§ 20.22 *Education.* The applicant shall be able to speak and understand the English language, or an appropriate operation limitation shall be placed on his student pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.23 *Physical standards.* The applicant shall hold at least a valid third class medical certificate issued in accordance with the physical standards prescribed in Part 29 of this subchapter.

§ 20.24 *Requirements for first solo.* A student pilot shall not operate a rotorcraft in solo flight until:

(a) He is familiar with the general and visual flight rules of Part 60 of this subchapter and such preparatory procedures as starting, warming-up operating, and stopping the engine;

(b) He has received dual instruction in taxiing, take-offs, hovering, landing, and parking; traffic pattern procedures; and emergency procedures, including engine failure; and

(c) He has been found competent by a flight instructor to make solo flights and authority therefor has been endorsed by such instructor on his student pilot certificate.

§ 20.25 *Flight area limitations.* A student pilot shall not operate a rotorcraft outside of a local flying area designated by his flight instructor until:

(a) He is familiar with such flight planning steps as plotting courses, estimating time en route and fuel required, and obtaining and evaluating weather reports;

(b) He has received dual instruction in pilotage by reference to aeronautical charts; conforming with air traffic control instructions furnished by radio or lights as appropriate; and safe operating practices in simulated emergencies which might occur due to engine failure, deteriorating weather, getting lost, and similar critical situations; and

(c) He has been found competent by a flight instructor to make solo cross-country flights and authority therefor has been endorsed on his student pilot certificate.

§ 20.26 *Rotorcraft type limitations.* A student pilot shall operate in solo flight only those types of rotorcraft that have been endorsed on his student pilot certificate by a flight instructor.

GLIDER RATING

§ 20.30 *Age.* No age limit but if the applicant is less than 14 years of age a restriction shall be placed on his student pilot certificate requiring all solo flights to be under the direct supervision of a flight instructor and confined to the local flying area until the holder is 14 years of age.

§ 20.31 *Citizenship.* No requirements.

§ 20.32 *Education.* The applicant must be able to speak and understand the English language, or an appropriate operation limitation shall be place on his student pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.33 *Physical standards.* The applicant shall certify that he has no known physical defect which renders him incompetent to pilot a glider.

§ 20.34 *Requirements for first solo.* A student pilot shall not operate a glider in solo flight until:

(a) He is familiar with the general and visual flight rules of Part 60 of this subchapter and the procedure to follow in conducting preflight inspections;

(b) He has received instruction in take-offs, landings, glides, and gliding turns; and recovery from stalls entered from all normally anticipated flight attitudes; and

(c) He has been found competent by a flight instructor to make solo flights, and authority therefor has been endorsed by such instructor on his student pilot certificate.

§ 20.35 *Flight area limitations.* A student pilot shall not operate a glider outside of a local area designated by his flight instructor until:

(a) He is familiar with obtaining and evaluating weather reports;

(b) He has received dual instruction in cross-country navigation by reference to aeronautical charts; and

(c) He has been found competent by a flight instructor to make solo cross-country flights, and authority therefor has been endorsed by such instructor on his student pilot certificate.

SUBPART C—PRIVATE PILOT CERTIFICATES

AIRPLANE RATING

§ 20.40 *Age.* 17 years.

§ 20.41 *Citizenship.* No requirements.

§ 20.42 *Education.* The applicant shall be able to speak and understand the English language, or an appropriate operation limitation shall be placed on his pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.43 *Physical standards.* The applicant shall hold at least a valid third class medical certificate issued in accordance with the physical standards prescribed in Part 29 of this subchapter.

§ 20.44 *Aeronautical knowledge.* The applicant shall pass an examination on the following:

(a) The Civil Air Regulations governing private pilot privileges and limitations, and general operating, air traffic, and accident reporting rules;

(b) The practical aspects of cross-country flying, including flight planning, map reading, pilotage, and radio communication procedures;

(c) The recognition of dangerous weather conditions and the evaluation of weather reports; and

(d) General safety practices in the operation of airplanes.

§ 20.45 *Aeronautical experience.* The applicant shall present his student pilot certificate appropriately endorsed for solo and cross-country flights and meet each of the following minimum flight experience requirements:

(a) 40 hours total flight time, including

(b) 15 hours of solo flight time in airplanes, and

(c) 5 hours of solo cross-country flying which shall include a landing at an airport more than 50 miles from the point of departure.

§ 20.46 *Aeronautical skill.* The applicant shall demonstrate a satisfactory level of competency in the following procedures and maneuvers:

(a) Preparatory flight procedures;

(b) Taxiing, take-off, and departure from the vicinity of the airport;

(c) Basic flight maneuvers, including 720° medium-banked turns, S-turns, climbing and gliding turns at minimum safe speeds, and power-on and power-off stalls;

(d) Cross-country air navigation;

(e) Arrival, approach, landing, taxiing, and parking at the airport; and

(f) Safe operating practices in simulated critical situations.

ROTORCRAFT RATING

§ 20.50 *Age.* 17 years.

§ 20.51 *Citizenship.* No requirements.

§ 20.52 *Education.* The applicant shall be able to speak and understand the English language, or an appropriate operation limitation shall be placed on his pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.53 *Physical standards.* The applicant shall hold at least a valid third class medical certificate issued in accordance with the physical standards prescribed in Part 29 of this subchapter.

§ 20.54 *Aeronautical knowledge.* The applicant shall pass an examination on the following:

(a) The Civil Air Regulations governing private pilot privileges and limitations, and general operating, air traffic, and accident reporting rules;

(b) The practical aspects of cross-country flying, including flight planning, map reading, pilotage, and radio communication procedures;

(c) The recognition of dangerous weather conditions and the evaluation of weather reports; and

(d) General safety practices in the operation of rotorcraft.

§ 20.55 *Aeronautical experience.* The applicant shall present his student pilot certificate appropriately endorsed for solo and cross-country flights and

meet each of the following minimum flight experience requirements:

(a) 40 hours total flight time, including

(b) 15 hours of solo flight time in rotorcraft, and

(c) 3 hours of solo cross-country flying which shall include a landing at an airport more than 25 miles from the point of departure.

§ 20.56 *Aeronautical skill.* The applicant shall demonstrate a satisfactory level of competency in the following procedures and maneuvers:

(a) Preparatory flight procedures;

(b) Taxiing, take-offs and landings, hovering, climbing and gliding turns, slow flight, and ground pattern flying; and

(c) Simulated emergencies, including an autorotative approach and landing.

GLIDER RATING

§ 20.60 *Age.* 16 years.

§ 20.61 *Citizenship.* No requirements.

§ 20.62 *Education.* The applicant shall be able to speak and understand the English language, or an appropriate operation limitation shall be placed on his pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.63 *Physical standards.* The applicant shall certify that he has no known physical defect which renders him incompetent to pilot a glider.

§ 20.64 *Aeronautical knowledge.* The applicant shall pass an examination on the following:

(a) The Civil Air Regulations which govern private pilot privileges and limitations, and general operating, air traffic, and accident reporting rules;

(b) The practical aspects of cross-country flying;

(c) The recognition of dangerous weather conditions and the evaluation of weather reports; and

(d) General safety practices in the operation of gliders.

§ 20.65 *Aeronautical experience.* The applicant shall present a student pilot certificate appropriately endorsed for solo and cross-country flights and meet each of the following minimum flight experience requirements:

(a) 10 hours of flight time which shall include 50 glider flights, of which at least 25 shall include 360° turns;

(b) 1 hour of flight instruction in recovery from stalls entered from all normally anticipated flight attitudes. Instruction in stalls may be given in airplanes; and

(c) Glider flights may be logged as flight time on the basis of 10 minutes for each glider flight.

§ 20.66 *Aeronautical skill.* The applicant shall demonstrate a satisfactory level of competency in the following procedures and maneuvers:

(a) At least 2 solo flights, of which one shall include a 360° approach to the left and one a 360° approach to the right, landing each time beyond and within 200 feet of a designated point or line; and

(b) Recovery from stalls entered from normally anticipated flight attitudes. Stalls may be demonstrated in airplanes.

SUBPART D—COMMERCIAL PILOT CERTIFICATES

AIRPLANE RATING

§ 20.70 *Age.* 18 years.

§ 20.71 *Citizenship.* No requirements.

§ 20.72 *Education.* The applicant shall be able to speak and understand the English language, or an appropriate operation limitation shall be placed on his pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.73 *Physical standards.* The applicant shall hold at least a valid second class medical certificate issued in accordance with the physical standards prescribed in Part 29 of this subchapter.

§ 20.74 *Aeronautical knowledge.* The applicant shall pass a written examination based on the following:

(a) The privileges and limitations of a commercial pilot;

(b) Meteorology, including the recognition of dangerous weather conditions, and the acquisition and use of weather information disseminated by the U. S. Weather Bureau;

(c) Navigation, including pilotage, dead reckoning, and the use of instruments and radio aids to air navigation;

(d) General principles of safe flight operations, including principles of flight and the operation and maintenance of airplanes; and

(e) Civil Air Regulations which govern general operating, air traffic, and accident reporting rules if the applicant does not hold a private pilot certificate.

§ 20.75 *Aeronautical experience.* The applicant shall have acquired at least 200 hours of flight time and meet each of the following minimum flight experience requirements.

(a) 100 hours in powered aircraft, of which 50 hours shall have been in airplanes;

(b) 100 hours as pilot in command, of which 50 hours shall have been cross-country and shall include one round-trip flight of not less than 350 miles in the course of which 3 full-stop landings are made at different points, one of which shall be not less than 150 miles away from the point of departure;

(c) 15 hours of dual instruction in airplanes;

(d) 10 hours of instrument flight experience which shall include not less than 5 hours of instrument flight instruction. The remaining 5 hours may be acquired in flight under simulated instrument conditions accompanied by a safety pilot or in a mechanical trainer equipped for simulated instrument flight; and

(e) An applicant who does not meet the instrument flight experience requirements of paragraph (d) of this section but does meet the other requirements may be issued a commercial pilot certificate and in that event the Administrator shall appropriately endorse such certificate to show that the holder thereof does not meet the instrument flight experience requirements. At such time as the holder of a certificate so endorsed submits reliable documentary evidence to the Administrator that he has met such instrument flight experience requirements, he shall be reissued a certificate without such endorsement.

§ 20.76 *Aeronautical skill.* The applicant shall demonstrate a satisfactory level of competency in the following procedures and maneuvers:

(a) Preparatory flight procedures;

(b) Taxiing, take-off, and departure from the vicinity of the airport with proper cognizance of other air traffic and traffic control procedures for the particular airport;

(c) Basic flight maneuvers such as turns, climbs, descents, and power-on and power-off stalls;

(d) Cross-country flight planning and flying such portion of a planned flight as will indicate ability to establish and maintain the appropriate course to proceed to the desired destination;

(e) Arrival, approach, landing, and parking at destination, and

(f) Safe operating practices in simulated critical situations.

ROTORCRAFT RATING

§ 20.80 *Age.* 18 years.

§ 20.81 *Citizenship.* No requirements.

§ 20.82 *Education.* The applicant shall be able to speak and understand the English language, or an appropriate operation limitation shall be placed on his pilot certificate. Such limitation shall be removed when he demonstrates his ability to speak and understand English.

§ 20.83 *Physical standards.* The applicant shall hold at least a valid second class medical certificate issued in accordance with the physical standards prescribed in Part 29 of this subchapter.

§ 20.84 *Aeronautical knowledge.* The applicant shall pass a written examination based on the following:

(a) The privileges and limitations of a commercial pilot;

(b) Meteorology, including the recognition of dangerous weather conditions, and the acquisition and use of weather information disseminated by the U. S. Weather Bureau;

(c) Navigation, including pilotage, dead reckoning, and the use of instruments and radio aids to air navigation;

(d) General principles of safe flight operations, including principles of flight and the operation and maintenance of rotorcraft; and

(e) Civil Air Regulations pertaining to air traffic and accident reporting rules if the applicant does not hold a private pilot certificate.

§ 20.85 *Aeronautical experience.* The applicant shall have acquired at least 150 hours of flight time and meet each of the following minimum flight experience requirements:

(a) 100 hours in powered aircraft, of which 40 hours shall have been in rotorcraft;

(b) 100 hours as pilot in command, of which 20 hours shall have been cross-country; and

(c) 25 hours of dual instruction in rotorcraft.

§ 20.86 *Aeronautical skill.* The applicant shall demonstrate a satisfactory level of competency in the performance of the following procedures and maneuvers:

(a) Preparatory flight procedures;

(b) Normal and crosswind take-offs and landings;

(c) Hovering upwind, downwind, and crosswind; and ground pattern flying with constant and changing headings;

(d) Simulated emergencies including running take-offs and autorotative landings;

(e) Cross-country flight planning and flying such portion of a planned flight as will indicate ability to establish and maintain the appropriate heading to proceed to the desired destination; and

(f) Such additional maneuvers or modifications of the above maneuvers as the examiner may deem advisable.

GLIDER RATING

§ 20.90 *Age.* 18 years.

§ 20.91 *Citizenship.* No requirements.

§ 20.92 *Education.* The applicant shall be able to speak and understand the English language or an appropriate operation limitation shall be placed on his pilot certificate. Such limitation shall be removed when he demonstates his ability to speak and understand English.

§ 20.93 *Physical standards.* The applicant shall certify that he has no known physical defect which renders him incompetent to pilot a glider.

§ 20.94 *Aeronautical knowledge* The applicant shall pass a written examination based on the following:

(a) The privileges and limitations of a commercial pilot;

(b) Meteorology, including the recognition of dangerous weather conditions, and the acquisition and use of weather information disseminated by the U. S. Weather Bureau;

(c) Navigation, including pilotage, dead reckoning, and the use of navigational instruments;

(d) General principles of safe flight operations, including elementary aerodynamics and the operation and maintenance of gliders; and

(e) Civil Air Regulations which govern general operating, air traffic, and accident reporting rules if the applicant does not hold a private pilot certificate.

§ 20.95 *Aeronautical experience.* The applicant shall have acquired a total of 25 hours flight time and meet the following minimum experience requirements:

(a) 20 hours flight time in gliders;

(b) One hour of instruction in stalls entered from all normally anticipated flight attitudes;

(c) 100 flights in gliders as pilot in command;

(d) 25 glider flights with 360° right and left turns;

(e) 3 hours of flight time as a pilot in a glider suitable for cross-country flying; and

(f) Glider flights may be logged as flight time on the basis of 10 minutes for each flight.

§ 20.96 *Aeronautical skill.* The applicant shall demonstrate a satisfactory level of competency in the following procedures and maneuvers:

(a) Preflight check;

(b) At least 2 flights including a right and left 360° approach, landing each time not more than 200 feet beyond a line or point;

(c) Spiral in each direction of at least 3 full turns in a banked attitude of at least 45°.

(d) A glider flight when towed by an airplane during climb, and then above, below, and to one side of the slipstream during level flight;

(e) A glider flight when launched by an automobile or winch; and

(f) Stalls entered from all normally anticipated flight attitudes. Stalls may be demonstrated in airplanes.

SUBPART E—SPECIAL ISSUANCE OF PILOT CERTIFICATES

§ 20.100 *Certificated flying schools.* An applicant who presents reliable records showing that he has graduated from an approved course of a certificated flying school within the preceding 12 calendar months shall be deemed to have met the applicable aeronautical knowledge, experience, and skill requirements for the issuance of an appropriate certificate or rating.

§ 20.101 *Military competence* — (a) *Pilot certificates.* An applicant for a private or commercial pilot certificate who meets the appropriate flight experience requirements shall be deemed to have met the other requirements for the issuance of such certificate if he passes a written examination on the Civil Air Regulations pertaining to pilot privileges and limitations, general operating, air traffic, and accident reporting rules, and presents reliable evidence that:

(1) He is a member of the armed forces of the United States, the National Guard, or the Coast Guard or any reserve component thereof and either is on solo flying status as a rated pilot or the equivalent, or has been graduated from and rated as a pilot or the equivalent by a military flying school within the preceding 12 months; or

(2) He has been honorably discharged from the armed forces, the National Guard, or the Coast Guard within the preceding 12 months, and was at the time of discharge on solo flying status as a rated pilot or the equivalent: *Provided,* That if he has been honorably discharged for a period longer than 12 months preceding the date of application, he shall be required to meet the prescribed physical standards and pass the appropriate flight test.

(b) *Aircraft ratings.* The holder of a private or commercial pilot certificate or an applicant for such certificate on the basis of military competence shall be issued appropriate aircraft category, class, and type ratings upon presentation of reliable records showing that within the preceding 12 months he has flown at least 10 hours as pilot in command and sole manipulator of the controls in military aircraft of each category, class, and type for which a rating is sought.

(c) *Instrument rating.* An instrument rating shall be issued to a private or commercial pilot who holds a currently effective military instrument rating if the requirements for the issuance of such rating are not less than those for the issuance of an instrument rating under this part.

§ 20.102 *Physical deficiencies.* An applicant who presents a medical certificate with limitations imposed under a waiver of physical standards provisions of Part 29 of this subchapter shall be issued a pilot certificate endorsed to show the same limitations provided he meets all other requirements for the issuance of the certificate sought.

§ 20.103 *Foreign pilots.* A U. S. pilot certificate with appropriate limitations may be issued to an applicant who is a citizen of a foreign country and holds a currently effective pilot license issued by his government upon submitting to the Administrator reliable evidence of his aeronautical experience and passing an examination in the air traffic rules contained in Part 60 of this subchapter. Such certificate shall prohibit the transportation of passengers or cargo where a charge is made for such transportation and shall include such additional limitations as the Administrator finds necessary for safety including but not limited to those which may be required by reason of the pilot's inability to speak and understand the English language.

SUBPART F—AIRCRAFT AND INSTRUMENT RATINGS

AIRCRAFT RATINGS

§ 20.110 *Aircraft ratings.* Aircraft ratings issued to private and commercial pilot shall be classified as follows:

(a) *Category ratings.* (1) Airplane.

(2) Rotorcraft.

(3) Glider.

(b) *Airplane class ratings.* (1) Single-engine land.

(2) Multiengine land.

(3) Single-engine sea.

(4) Multiengine sea.

(c) *Type ratings.* Each type of airplane having a maximum certificated take-off weight of more than 12,500 pounds and each type of helicopter.

§ 20.111 *Additional aircraft ratings.* An applicant for an additional aircraft rating subsequent to the original issuance of a private or commercial pilot certificate shall meet the following requirements:

(a) *Category rating.* The applicant for an additional category rating shall:

(1) Meet the total time required for the original issuance of his grade of certificate with the category rating sought;

(2) Have served 5 hours as pilot in command of airplanes or rotorcraft as appropriate if the rating is sought in

one of these categories or have made 10 glider flights as pilot in command including 5 flights with 360° approaches if a glider rating is sought; and

(3) Pass an appropriate flight test.

(b) *Class or type rating.* An applicant for an additional class or type rating shall:

(1) Have made at least 3 take-offs and landings as pilot in command of an aircraft of the class or type for which a rating is sought; and

(2) Pass an appropriate flight test.

INSTRUMENT RATING

§ 20.115 *Issuance.* An instrument rating shall be issued to a private or commercial pilot who meets the following aeronautical knowledge, experience, and skill requirements:

§ 20.116 *Aeronautical knowledge.* The applicant shall pass a written examination based on the following:

(a) Civil Air Regulations as they apply to flight under IFR conditions;

(b) Radio navigation systems and procedures; instrument landing systems and procedures; radio communication procedures; and

(c) Meteorology, including the characteristics of air masses and fronts, and the weather associated with them; the elementary principles of forecasting; and the availability evaluation, and utilization of the various types of meteorological reports.

§ 20.117 *Aeronautical experience.* The applicant shall have acquired at least 200 hours of flight time which shall include the following flight experience requirements:

(a) 150 hours of flight time as pilot in command, of which not less than 50 hours shall have been cross-country; and

(b) 40 hours of instrument time under actual or simulated instrument conditions, of which not less than 20 hours shall have been in flight and have included 10 hours of instrument flight instruction given by a rated flight instructor with an instrument rating.

§ 20.118 *Aeronautical skill.* The applicant shall demonstrate in flight the competent performance, solely by reference to instruments, of the following:

(a) Flight maneuvers, including recovery from critical altitudes, such as steep turns, spirals, and stalls, using the minimum instruments required in § 43.30 (c) of this subchapter;

(b) Planning and conducting a simulated instrument flight involving;

(1) Preparing and filing an instrument flight plan;

(2) Radio navigation;

(3) Radio communications;

(4) A standard instrument approach complying with traffic control instructions; and

(5) Recovery from emergency situations such as a missed aproach, radio or instrument failure, and failure of an engine if the test is conducted in a multiengine airplane.

SUBPART G—FLIGHT INSTRUCTOR CERTIFICATES

§ 20.120 *Junior flight instructor certificates.* A junior flight instructor certificate with appropriate ratings shall be issued to an applicant who meets the following requirements:

(a) He shall hold a valid airline transport or commercial pilot certificate or if he holds a private pilot certificate he shall meet the aeronautical knowledge, experience, and skill requirements for the issuance of a commercial pilot certificate;

(b) He shall show that he is familiar with the teaching methods and procedures to be used in effective flight instruction as set forth in the CAA Flight Instruction Manual; and

(c) He shall demonstrate in each category of aircraft in which he desires to give flight instruction his ability to teach the performance of such flight maneuvers and procedures as are necessary and appropriate for the safe piloting of that category of aircraft.

§ 20.121 *Renewal.* A junior flight instructor certificate may be renewed upon presentation by the holder of a flight instruction record satisfactory to the Administrator or upon a practical demonstration of continued competence.

§ 20.125 *Senior flight instructor certificates.* A senior flight instructor certificate with appropriate ratings shall be issued to an applicant who meets the following requirements:

(a) He has held a junior flight instructor certificate for a period of at least one year; and

(b) He has trained at least 5 successful candidates for pilot certificates or instrument ratings:

§ 20.126 *Flight instructor responsibilities.* A flight instructor shall be charged with the following responsibilities:

(a) He shall maintain a high standard of proficiency in giving flight instruction as evidenced by the ability of his students to maintain a satisfactory level of flight safety while under his supervision and to pass the certification and rating tests for which he has prepared them;

(b) He shall not certify a student for solo or solo cross-country flights until he has personally checked the student and found that he is competent to make such flights; and

(c) He shall endorse the student's record of each instruction flight and shall keep an accurate record of all flight instruction given and of each student pilot certificate that he endorses. Such record shall include the date and duration of the flight, the type of aircraft, the procedures or maneuvers taught, and the student's name and certificate number.

§ 20.127 *Validity and exchange of flight instructor ratings.* The holder of a flight instructor rating shall not exercise the privileges of such rating after two years beyond the effective date of this revision but he may exchange such rating for a senior flight instructor certificate at any time upon application to the Administrator without further showing of competence.

§ 20.130 *Definitions.*

Aircraft. Any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air.

Airplane. A power-driven, fixed-wing, heavier-than-air aircraft which is supported in flight by the dynamic reaction of the air against its wings.

Category of aircraft. A broad classification of aircraft with distinct configuration and flight characteristics such as airplane, rotorcraft, or glider.

Class of aircraft. A basic design of aircraft within a category differentiating between single and multiengine and land and water configurations.

Dual instruction time. Flight time during which a person is receiving flight instruction from an appropriately certificated flight instructor.

Day VFR flight time. That flight time acquired under visual flight rules between morning and evening civil twilight, as published in the "American Air Almanac" converted to local time for the locality concerned.

Flight Instructor A certificated pilot authorized by the Civil Air Regulations to give flight instruction.

Flight time. The total time from the moment the aircraft first moves under its own power for the purpose of flight until the moment it comes to rest at the end of the flight.

Glider A heavier-than-air aircraft the free flight of which does not depend principally upon a power generating unit.

Instrument flight time. That flight time during which the pilot is operating an aircraft solely by reference to instruments under actual instrument flight conditions.

Instrument time. That time during which a pilot is operating an aircraft under actual or simulated instrument flight conditions solely by reference to instruments, or time acquired in an approved synthetic instrument-training device.

Night VFR flight time. That flight time acquired under visual flight rules between evening civil twilight and morning civil twilight, as published in the "American Air Almanac" converted to local time for the locality concerned.

Pilot. A person holding a valid pilot certificate issued by the Administrator.

Pilot in command. A certificated pilot responsible for the operation and safety of the aircraft during the time defined as flight time.

Rotorcraft. A power-driven heavier-than-air aircraft which is supported during flight by one or more rotors.

Second pilot. A certificated pilot serving in any piloting capacity other than as pilot in command on an aircraft equipped with dual controls.

Simulated instrument flight time. That time during which the pilot is operating an aircraft solely by reference to instruments under simulated instrument flight conditions.

Simulated instrument time. That time during which the pilot is operating a synthetic instrument-training device acceptable to the Administrator.

Solo flight time. That flight time during which the pilot is the sole occupant of the aircraft.

Type of aircraft. A basic make and model of aircraft including only those modifications that do not result in a change in handling or flight characteristics.

PILOT CERTIFICATES

STUDENT PILOT

Qualifications		Airplanes	Rotorcraft	Gliders
Age	Old	16	16	14
	New	No age limit, but all solo flights by students under old age minimums must be confined to local flying area and under direct supervision of flight instructor.		
Education	Old	Read, write, speak, and understand English.		
	New	Speak and understand English.		

PRIVATE PILOT

Qualifications		Airplanes	Rotorcraft	Gliders
Education	Old	Read, write, speak, and understand English.		
	New	Speak and understand English.		
Knowledge		No substantive change.		
Experience	Old	40 hours. 15 dual. 25 solo. 10 solo X-C. 100 miles. Stalls.	40 hours. 15 dual. 25 solo. 10 solo X-C. 100 miles. Stalls.	10 hours. 100 glider flights. 25 360° approach. 1 hour stalls.
	New	40 hours. 15 solo airplane. 5 solo X-C. 50 miles. Stalls.	40 hours. 15 solo rotorcraft. 3 solo X-C. 25 miles.	10 hours. 50 glider flights. 25 360° approach. 1 hour stalls.
Skill		No substantive change.		

COMMERCIAL PILOT CERTIFICATES

Qualifications		Airplanes	Rotorcraft	Gliders
Education	Old	Read, write, speak, and understand English.		
	New	Speak and understand English.		
Knowledge		No substantive change.		
Experience	Old	200 hours. 100 p-in-c. 20 p-in-c X-C. 350 miles. 15 night. 10 instrument.	200 hours. 100 p-in-c. 20 p-in-c X-C. 350 miles. 5 night. 10 instrument.	250 flights or 25 hours and 125 flights. 25 360° approach. 1 hour stalls.
	New	200 hours. 15 dual airplanes. 100 power aircraft. 50 airplanes. 100 p-in-c. 50 p-in-c X-C. 350 miles. 10 instrument.	150 hours. 25 dual rotorcraft. 100 power aircraft. 40 rotorcraft. 100 p-in-c. 20 p-in-c X-C.	25 hours. 20 in gliders. 100 glider flights. 25 360° approach. 1 hour stalls.
Skill		No substantive change.		

PILOT RATINGS

Qualifications		Category	Class and type	Instrument
Experience	Old	Have total time for grade of certificate.	None	150 hours. 40 hours as p-in-c. 20 hours in flight.
	New	Have total time for grade of certificate 5 hours p-in-c in power aircraft or 10 glider flights.	3 take-offs and landings.	150 hours p-in-c. 40 instrument. 20 in flight. 10 instrument flight instruction.

FLIGHT INSTRUCTOR CERTIFICATES

Qualifications		Junior flight instructor certificate (new)	Senior flight instructor certificate
Knowledge	Old		Written examination.
	New	Written examination	No examination.
Experience	Old		200 hours or commercial rating.
	New	200 hours or commercial rating	1 year as flight instructor and have trained 5 students.
Skill	Old		Skill and instructing flight test.
	New	Instructing flight test	None.
Duration	Old		Indefinite.
	New	2 years	Indefinite.

[F. R. Doc. 55-3665; Filed, May 4, 1955; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

SMALL TRACT CLASSIFICATION ORDER NO. 98

APRIL 29, 1955.

By virtue of the authority contained in the act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended and pursuant to delegation of authority contained in section 1.9 (o) Order No. 541 of April 21, 1954, Bureau of Land Management, it is ordered as follows:

1. Subject to valid existing rights, the public lands hereinafter described, which are situated in the Anchorage, Alaska Land District, are hereby classified as chiefly valuable for recreational purposes, as hereinafter indicated, for lease and sale under the Small Tract Act of June 1, 1938, supra:

SEWARD MERIDIAN

T. 17 N., R. 4 W.,
Sec. 27: Lots 26–40, inclusive; E½ NE¼SW¼NE¼, W½NE¼SE¼NW¼, E½NW¼SE¼NW¼, W½NW¼SE¼ NW¼, E½SW¼SW¼NW¼, E½SE¼ NE¼SW¼.

Aggregating 21 tracts embracing 87.62 acres.

2. The classification of the above-described lands segregates them from all appropriations, including locations under the mining laws, except as to applications under the Small Tract Act and applications under the mineral leasing laws.

3. The lands involved are located at Mud Lake, which lies about 500 feet west of the west end of Big Lake. Big Lake is situated on the north side of the Knik Arm of Cook Inlet and is approximately 75 miles by highway northeasterly from Anchorage. It lies west of Wasilla and Palmer and is approximately 25 miles by highway from the latter. An all-weather highway connects the eastern end of Big Lake with Wasilla, Palmer, and the Territorial highway network. Mud Lake is connected to Big Lake by a narrow channel that is navigable by small and shallow-draft boats. With the exception of two tracts, all of the small tracts either have lake frontage on Mud Lake or on a small unnamed lake that lies immediately to the north of Mud Lake. The lands are generally covered with a mixed stand of spruce and birch. Muskeg is present on the imperfectly drained portions of some of the tracts. The terrain is generally level, however, the land lying between and separating the lakes consists of low-lying ridges. At the present time there is no electrical service to Mud Lake and none is anticipated in the near future. A store, several lodges and boat rental facilities are now operated at the east end of Big Lake. Stores, schools and

other public facilities and services are available in Wasilla and Palmer.

4. The individual tracts vary in size from 1.68 to 6.28 acres. The supplemental plat of survey showing the location of each tract can be secured for $1.00 from the Area Cadastral Engineering Office, Bureau of Land Management, Juneau, Alaska. Brochures which describe the area and contain sketch maps of the platting of the small tracts can be obtained free of charge from the Manager, Anchorage Land Office, Anchorage, Alaska. The appraised values of the tracts vary from $125 to $1120 per tract as shown below. Rights-of-way, 50 feet in width, for road purposes will be reserved as shown below.

MUD LAKE SMALL TRACT AREA—APPRAISAL SCHEDULE

Official description [1]	Acreage	Easement 50 feet	Advance rental (2 years)	Appraised value
Seward Meridian, sec. 27, T. 17 N., R. 4 W..				
Lot 26	6.28		$50	$500
27	5.25		55	525
28	5.08	W	30	320
29	3.75		30	300
30	2.29	E	35	350
31	2.29	W	30	300
32	3.09	E	40	400
33	3.32		60	600
34	3.72		45	455
35	4.99		50	500
36	4.74		50	475
37	1.68		35	340
38	2.11		40	420
39	5.59	E	110	1,120
40	3.44	E and W	70	690
E½NE¼SW¼NE¼	5.00		30	300
W½NE¼SE¼NW¼	5.00		40	375
E½NW¼SE¼NW¼	5.00		45	450
W½NW¼SE¼NW¼	5.00		40	400
E½SW¼SW¼NW¼	5.00		15	125
E½SE¼NE¼SW¼	5.00	E	50	500

[1] From Supplemental Plat of Survey—Official Lot.

5. Leases will be issued for a term of two years and will contain an option to purchase in accordance with 43 CFR 257.13 (Circular 1899) Lessees who comply with the general terms and conditions of their leases will be permitted to purchase their tracts at the prices listed above at any time during the term of their leases providing that they have either (a) constructed the improvements specified in paragraph 6 or (b) filed a copy of an agreement in accordance with 43 CFR 257.13 (d) Leases will not be renewable unless failure to construct the required improvements is justified under the circumstances and nonrenewal would work an extreme hardship on the lessee.

6. To maintain their rights under their leases, lessees will be required to either (a) construct substantial improvements on their lands or (b) file a copy of an agreement with their neighbors binding them to construct substantial improvements on their lands. Such improvements must conform with health, sanitation, and construction requirements of local ordinances and must, in addition, meet at least the following minimum standards. The house must be of sound construction suitable for occasional residence, be on a permanent foundation, contain at least 120 square feet of floor space (outside measure) and contain a minimum of one door and one window. The house must be built in a workmanlike manner out of attractive materials properly finished. Adequate disposal and sanitary facilities must be installed.

7. Beginning at 10:00 a. m. on June 22, 1955, the lands will be open to filing of drawing-entry cards (Form 4–775) only by persons entitled to veterans' preference. In brief, persons entitled to such preference are (a) honorably discharged veterans who served in the armed forces of the United States for a period of at least 90 days after September 15, 1940, (b) surviving spouse or minor orphan children of such veterans through a legally authorized representative, and (c) with the consent of the veteran, the spouse of living veterans. The 90-day requirement does not apply to veterans who were discharged on account of wounds or disability incurred in the line of duty or the surviving spouse or minor children of veterans killed in the line of duty. Drawing-entry cards (Form 4–775) are available upon request from the Manager, Anchorage Land Office, Anchorage, Alaska.

Drawing-entry cards will be accepted if filled out in compliance with the instructions on the form and submitted to the above named official prior to 10:00 a. m. on July 13, 1955. A drawing will be held on that date to select the successful entrants who will be sent copies of the lease form, Form 4–776, with instructions as to their execution and return and as to payment of fees and rentals. All entrants will be notified of the results of the drawing.

For a period of 91 days or until the close of business on October 11, 1955, any tracts remaining unappropriated will be subject to filing in the order received by qualified veteran applicants. Such filings will be executed upon the lease form, Form 4–776.

During the 21 day period extending between 10:00 a. m. on September 21, 1955, and October 12, 1955, drawing-entry cards will be accepted from the general public on any unappropriated parcels of the subject land, however, during this 21 day period veteran priority rights still prevail. A drawing will be held at 10:00 a. m. on October 12, 1955, to select successful entrants, after which the unappropriated portions of the subject land will be open to application under this classification in order of filing. All entrants will be notified of the results of the drawing and successful entrants will be sent copies of the lease forms with instructions as to their execution.

The filing of the lease form, Form 4–776, must be accompanied by a filing fee of $10.00 plus the advance rental specified above. The advance rental is determined as being a sum which amounts to 1/20th of the appraised value of the land for each of two years under lease and rounded to the nearest five dollars. The advance rental for any unexpired full lease year, if any, subsequent to the filing of the application to purchase, will be subtracted from the sale price of the land as shown above. Failure to transmit the filing fee and the advance rental with the application will render the application invalid. Advance rentals will be returned to unsuccessful applicants. All filing fees will be retained by the United States.

8. All valid applications filed prior to June 10, 1953, will be granted the preference right provided for by 43 CFR 257.5 (a)

LOWELL M. PUCKETT,
Area Administrator

[F. R. Doc. 55-3633; Filed, May 4, 1955; 8:47 a. m.]

[Amdt. 1]

ALASKA

SMALL TRACT CLASSIFICATION ORDER NO. 61 AND NOTICE OF OPENING

APRIL 27, 1955.

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F R. 2473) I hereby amend Small Tract Classification Order No. 61, dated July 14, 1952, to read as follows:

SHEEP MOUNTAIN AREA

INDEX LAKE SMALL TRACT GROUP

For Lease and Sale; For Recreational Sites

Seward Meridian:
T. 20 N., R. 8 E.,
Section 23: Lots 4, 6, 7, N½NW¼NE¼ SW¼.

Comprising 4 tracts aggregating 10.84 acres.

2. The classification of the above-described lands as amended by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the Small Tract Act and applications under the mineral leasing laws.

3. The lands are located approximately one-half mile from the Glenn Highway at approximately eighty-eight and one-half miles from Anchorage. A dirt road leads from the Glenn Highway to Index Lake Bible Camp which is located just west of the small tracts. This road can be considered as a fair weather road only.

4. The individual tracts vary in size from 0.98 to 5.00 acres. The supplemental plat of survey showing the location of each tract can be secured for $1.00 from the Area Cadastral Engineering Office, Bureau of Land Management, Juneau, Alaska. Brochures which describe the area and contain sketch maps of the platting of the small tracts can be obtained free of charge from the Manager, Anchorage Land Office, Anchorage, Alaska. The appraised values of the tracts vary from $50 to $150 per tract as shown below. Rights-of-way, 50 feet in width, for road purposes will be reserved as shown below.

APPRAISAL SCHEDULE

Official description	Acreage	Advance rental	Easements	Appraised value
Seward Meridian, sec. 23, T. 20 N., R. 8 E..				
Lot 4	2.90	$15		$125
Lot 6	0.98	10	N	50
Lot 7	1.96	10	N	100
N½NW¼NE¼SW¼	5.00	15	N and W..	150

5. Leases will be issued for a term of two years and will contain an option to purchase in accordance with 43 CFR 257.13 (Circular 1899) Lessees who comply with the geenral terms and conditions of their leases will be permitted to purchase their tracts at the prices listed above at any time during the term of their leases providing that they have either (a) constructed the improvements specified in paragraph 6 or (b) filed a copy of an agreement in accordance with 43 CFR 257.13 (d). Leases will not be renewable unless failure to construct the required improvements is justified under the circumstances and nonrenewal would work an extreme hardship on the lessee.

6. To maintain their rights under their leases, lessees will be required to either (a) construct substantial improvements on their lands or (b) file a copy of an agreement with their neighbors binding them to construct substantial improvements on their lands. Such improvements must conform with health, sanitation, and construction requirements of local ordinances and must, in addition, meet at least the following minimum standards. The house must be of sound construction suitable for occasional residence, be on a permanent foundation, contain at least 120 square feet of floor space (outside measure) and contain a minimum of one door and one window. The house must be built in a workmanlike manner out of attractive materials properly finished. Adequate disposal and sanitary facilities must be installed.

7. Beginning at 10:00 a. m. on June 22, 1955, the lands will be open to filing of drawing-entry cards (Form 4–775) only by persons entitled to veterans' preference. In brief, persons entitled to such preference are (a) honorably discharged veterans who served in the armed forces of the United States for a period of at least 90 days after September 15, 1940, (b) surviving spouse or minor orphan children of such veterans through a legally authorized representative, and (c) with the consent of the veteran, the spouse of living veterans. The 90-day requirement does not apply to veterans who were discharged on account of wounds or disability incurred in the line of duty or the surviving spouse or minor children of veterans killed in the line of duty. Drawing-entry cards (Form 4–775) are available upon request from the Manager, Anchorage Land Office, Anchorage, Alaska.

Drawing-entry cards will be accepted if filled out in compliance with the instructions on the form and submitted to the above named official prior to 10:00 a. m. on July 13, 1955. A drawing will be held on that date to select the successful entrants who will be sent copies of the lease form, Form 4–776, with instructions as to their execution and return and as to payment of fees and rentals. All entrants will be notified of the results of the drawing.

For a period of 91 days or until the close of business on October 11, 1955, any tracts remaining unappropriated will be subject to filing in the order received by qualified veteran applicants. Such filings will be executed upon the lease form, Form 4–776.

During the 21 day period extending between 10:00 a. m. on September 21, 1955, and October 12, 1955, drawing-entry cards will be accepted from the general public on any unappropriated parcels of the subject land, however, during this 21 day period veteran priority rights still prevail. A drawing will be held at 10:00 a. m. on October 12, 1955, to select successful entrants, after which the unappropriated portions of the subject land will be open to application under this classification in order of filing. All entrants will be notified of the results of the drawing and successful entrants will be sent copies of the lease forms with instructions as to their execution.

The filing of the lease form, Form 4–776, must be accompanied by a filing fee of $10.00 plus the advance rental specified above. The advance rental is determined as being a sum which amounts to 1/20th of the appraised value of the land for each of two years under lease and rounded to the nearest five dollars. The advance rental for any unexpired full lease year, if any, subsequent to the filing of the application to purchase, will be subtracted from the sale price of the land as shown above. Failure to transmit the filing fee and the advance rental with the application will render the application invalid. Advance rentals will be returned to unsuccessful applicants. All filing fees will be retained by the United States.

8. All valid applications filed prior to July 14, 1952, will be granted the preference right provided for by 43 CFR 257.5 (a)

LOWELL M. PUCKETT,
Area Administrator.

[F. R. Doc. 55-3637; Filed, May 4, 1955; 8:47 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

APRIL 27, 1955.

An application, serial number Anchorage 028162, for the withdrawal from all forms of appropriation under the public land laws, including the mining and mineral leasing laws of the lands described below was filed on October 18, 1954, by Alaska Road Commission.

The purposes of the proposed withdrawal: Permanent type cap and powder magazine site.

For a period of 60 days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the Area Administrator, Area 4, Bureau of Land Management, Department of the Interior, at Box 480, Anchorage, Alaska. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

U. S. Survey No. 3312, Tract C: Lots 18A and 19A.

Containing 9.00 acres.

LOWELL M. PUCKETT,
Area Administrator

[F. R. Doc. 55-3636; Filed, May 4, 1955; 8:47 a. m.]

[Doc. 38]

ARIZONA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

An application, serial number Arizona 017159, for the withdrawal from location, sale and entry, under the General Mining laws of the lands described below, subject to valid and existing rights, was filed on September 27, 1954, by United States Department of Agriculture.

The purpose of the proposed withdrawal: Administrative sites, public service sites, recreation areas, or for other public purposes as set forth specifically with regard to each area or description.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor, Bureau of Land Management, Department of the Interior, at Room 233-A Main Post Office Building, Phoenix, Arizona. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case, a separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN

APACHE NATIONAL FOREST

Alpine Divide Forest Camp

T. 6 N., R. 30 E.,
Sec. 23: SW¼.

Total area: 160 acres.

Alpine Ranger Station Administrative Site

T. 5 N., R. 30 E.,
Sec. 12: SE¼NE¼SE¼.
T. 5 N., R. 31 E.,
Sec. 7: Lots 2, 3, SE¼NW¼, NE¼SW¼.

Total area: 169.03 acres.

Basin Lake-Big Lake-Crescent Lake Recreation Area

T. 6 N., R. 27 E.,
Sec. 13: E½.

T. 6 N., R. 28 E.,
Sec. 7: S½SE¼, SE¼SW¼, Lot 4;
Sec. 8: S½SW¼, SW¼SE¼,
Sec. 17: W½, W½E½,
Sec. 18: E½, E½SW¼, Lots 1, 4, 5, 6, 7, 8, 9;
Sec. 19, E½,
Sec. 20: W½, W½E½, SE¼SE¼,
Sec. 28: W½NW¼, SW¼,
Sec. 29: All;
Sec. 30: E½, E½W½,
Sec. 31. NE¼, E½NW¼, NE¼SW¼, N½SE¼,
Sec. 32: N½, N½S½.

Total area: 4,706.07 acres.

Bear Ranger Station Administrative Site

T. 3 N., R. 31 E.,
Sec. 30: SE¼.

Total area: 160 acres.

Big Lake Knoll Forest Camp

T. 6 N., R. 28 E.,
Sec. 33: S½.

Total area: 320 acres.

Big Lake Lookout Administrative Site

T. 5 N., R. 28 E.,
Sec. 4. W½SW¼NE¼, SE¼NW¼, Lots 6, 7.

Total area: 117.06 acres.

Blue Crossing Forest Camp

T. 3 N., R. 31 E.,
Sec. 1. SW¼SW¼.

Total area: 40 acres.

Buffalo Administrative Camp Site

T. 4 N., R. 28 E.,
Sec. 1. SE¼NW¼, SW¼NE¼, W½SE¼, E½SW¼.

Total area: 240 acres.

CC Administrative Site

T. 8 N., R. 26 E.,
Sec. 5: SW¼NW¼, W½SW¼,
Sec. 6: SE¼NE¼, E½SW¼NE¼, E½SE¼, E½W½SE¼.

Total area: 300 acres.

Campbell Blue Administrative Site

T. 4½ N., R. 31 E., unsurveyed—but expected to be legally described, when surveyed, as follows:
Sec. 34: W½NW¼.

Total area: 80 acres.

Campbell Blue Forest Camp

T. 4½ N., R. 30 E.,
Sec. 26: SE¼.

Total area: 160 acres.

Cienega Redondo Forest Camp

T. 5 N., R. 28 E.,
Sec. 3: Lots 5 and 6.
T. 6 N., R. 28 E.,
Sec. 34: S½ Lot 4, S½SW¼ SE¼.

Total area: 92.73 acres.

Coleman Creek Forest Campground

T. 5 N., R. 30 E.,
Sec. 26: E½NW¼, SW¼.

Total area: 240 acres.

Concho Bill Flat Recreation Area

T. 5 N., R. 28 E.,
Sec. 14: W½NW¼, NW¼SW¼,
Sec. 15: NE¼, NE¼SE¼.

Total area: 320 acres.

Conklin Springs Recreation Area

T. 5 N., R. 28 E.,
Sec. 6: SE¼SE¼,
Sec. 7: NE¼NE¼.

Total area: 80 acres.

Coronado Forest Camp Area

T. 5 N., R. 30 E.,
Sec. 14: SW¼SE¼, SE¼SW¼,
Sec. 23: N½NE¼.

Total area: 160 acres.

Crosby Ranch Recreation Area

T. 8 N., R. 27 E.,
Sec. 22: N½SE¼, SW¼SE¼.

Total area: 120 acres.

East Fork Black River Forest Camps

T. 4 N., R. 28 E.,
Sec. 1. Lots 1 and 2;
Sec. 12: NW¼.
T. 5 N., R. 28 E.,
Sec. 25: SW¼, W½SE¼, Lots 3 and 4;
Sec. 35: NE¼, N½SE¼, Lots 8 and 9;
Sec. 36: NW¼, NW¼NE¼, N½SW¼, Lots 1, 4, 5.
T. 5 N., R. 29 E.,
Sec. 19: S½SE¼,
Sec. 20: E½NE¼, SW¼NE¼, NW¼SE¼, SW¼,
Sec. 21. NW¼NW¼,
Sec. 30: NE¼, E½NW¼, NE¼SW¼, Lots 2 and 3.

Total area: 2,074.43 acres.

Elderberry Picnic Ground

T. 8 N., R. 29 E.,
Sec. 33: N½SW¼.

Total area: 80 acres.

Escudilla Lake Recreation Area

T. 7 N., R. 31 E.,
Sec. 26: W½W½, Lots 1, 2, 3;
Sec. 27: E½SE¼,
Sec. 34. N½NE¼.

Total area: 446.66.

Escudilla Road Recreation Area

T. 7 N., R. 30 E.,
Sec. 13: SE¼SW¼, Lots 7, 8.

Total area: 115.85 acres.

Grant Creek Forest Camp

T. 3 N., R. 31 E.,
Sec. 30: E½SW¼.

Total area: 80 acres.

Greens Peak Lookout Recreation Area

T. 8 N., R. 26 E.,
Sec. 2: S½SW¼,
Sec. 11. N½NW¼.

Total area: 160 acres.

Greer Administrative Site

T. 7 N., R. 27 E.,
Sec. 1. SW¼SE¼,
Sec. 12: SE¼NW¼, W½NE¼.

Total area: 160 acres.

Greer Recreation Area

T. 7 N., R. 27 E.,
Sec. 1. Lots 1, 2, 3, 4, S½N½, N½SE¼, SE¼SE¼, NE¼SW¼,
Sec. 2: Lot 1, SE¼NE¼,
Sec. 12: SW¼NW¼, S½, E½NE¼,
Sec. 13: W½,
Sec. 14: SE¼SW¼, S½SE¼,
Sec. 23: NE¼, E½NW¼,
Sec. 24: W½NW¼.
T. 7 N., R. 28 E.,
Sec. 6: Lots 1, 3, 4, 5, 6, 7, SE¼NW¼, E½SW¼, S½SE¼, E½W½NE¼SE¼, E½NE¼SE¼, E½SE¼NE¼,
Sec. 7: Lots 1, 2, E½NW¼, NE¼.
T. 8 N., R. 27 E.,
Sec. 22: N½, SW¼, N½SE¼, SW¼SE¼,
Sec. 23: N½, SE¼, N½SW¼, SE¼SW¼,
Sec. 24: SW¼,
Sec. 25: W½,
Sec. 26: W½SW¼, S½NW¼, NE¼NW¼, N½NE¼, N½S½NE¼, N½S½S½NE¼, S½SW¼SW¼NE¼, SE¼SE¼SE¼NE¼, NE¼NE¼NE¼SE¼, NW¼SE¼, W½W½NE¼SE¼, S½S½SE¼SE¼,
Sec. 27: S½NE¼, NW¼NE¼, NW¼,
Sec. 35: E½, SW¼, S½NW¼, NW¼NW¼,
Sec. 36: All.
T. 8 N., R. 28 E.,
Sec. 31. Lots 7 and 8.

Total area: 6226.08.

Hannagan Forest Camp

T. 3 N., R. 29 E., unsurveyed—expected to be legally described when surveyed, as follows:
Sec. 3: NE¼SE¼.

Total area: 40 acres.

Hannagan Ranger Station Administrative Site

T. 3 N., R. 29 E., unsurveyed—expected to be legally described when surveyed, as follows:
Sec. 2: W½NW¼,
Sec. 3: NE¼.
T. 4 N., R. 29 E., unsurveyed—expected to be legally described when surveyed, as follows:
Sec. 34: SE¼,
Sec. 35: E½SW¼.

Total area: 480 acres.

Hay Lake Ranger Station Administrative Site

T. 7 N., R. 28 E.,
Sec. 18: NE¼, E½NW¼, NE¼SW¼, NW¼SE¼.

Total area: 320 acres.

Iris Ranger Station Administrative Site

T. 9 N., R. 27 E.,
Sec. 32: W½SE¼, E½SW¼.

Total area: 160 acres.

Isabel Spring Forest Camp

T. 4½ N., R. 30 E.,
Sec. 23: S½.

Total area: 320 acres.

Jackson Creek Forest Camp

T. 5 N., R. 31 E.,
Sec. 19: NE¼SW¼.

Total area: 40 acres.

KP Cienega Forest Camp

T. 3 N., R. 29 E., unsurveyed—expected to be legally described when surveyed, as follows:
Sec. 28: S½NW¼, N½SW¼.

Total area: 160 acres.

Luna Lake Recreation Area

T. 5 N., R. 31 E.,
Sec. 8: SE¼SE¼,
Sec. 9: S½,
Sec. 16: N½, N½N½SE¼,
Sec. 17: N½NE¼, SE¼NE¼, E½SW¼NE¼, N½N½W½SW¼NE¼, E½NE¼NW¼, E½W½NE¼NW¼, N½NE¼SE¼NW¼, NE¼NW¼SE¼NW¼.

Total area: 902.5 acres.

Mexican Hay Lake Recreation Area

T. 7 N., R. 28 E.,
Sec. 1. Lots 3, 4, S½NW¼, SW¼,
Sec. 2: All.
T. 8 N., R. 28 E.,
Sec. 35: SE¼,
Sec. 36: SW¼.

Total area: 1,276.76 acres.

Middle Blue Forest Camp

T. 3 N., R. 31 E.,
Sec. 22: NE¼NW¼.

Total area: 40 acres.

Nutrioso Ranger Station Administrative Site

T. 6 N., R. 30 E.,
Sec. 6: Lots 2, 5, N½N½SE¼NW¼, N½NW¼SW¼NE¼.

Total area: 93.32 acres.

Pat Knoll Ranger Station Administrative Site

T. 7 N., R. 29 E.,
Sec. 29: NW¼.

Total area: 160 acres.

Phelps Ranger Station Botanical Area

T. 6 N., R. 27 E.,
Sec. 9: S½SE¼NE¼, NE¼SE¼, E½NW¼SE¼,
Sec. 10: W½NW¼SW¼.

Total area: 100 acres.

P S. Forest Camp

T. 4 N., R. 28 E.,
Sec. 11: N½NW¼, SE¼NW¼.

Total area: 120 acres.

Seven Springs Draw Recreation Area

T. 6 N., R. 28 E.,
Sec. 4: All;
Sec. 9: N½N½.

Total area: 800.60 acres.

Sheep Crossing Forest Camp

T. 7 N., R. 27 E.,
Sec. 33: S½NW¼, N½SW¼.

Total area: 160 acres.

Sheep Spring Recreation Area

T. 8 N., R. 26 E.,
Sec. 26: SW¼SE¼.

Total area: 40 acres.

South Fork Campground Recreation Area

T. 8 N., R. 28 E.,
Sec. 20: W½NE¼, NE¼NW¼.

Total area: 120 acres.

Three Forks Recreation Area

T. 5 N., R. 29 E.,
Sec. 5: Lots 3, 4, S½NW¼, SW¼,
Sec. 6: Lots 1, 2, 3, 4, 5, 6, S½NE¼, SE¼NW¼, NE¼SE¼,
Sec. 8: NW¼NW¼.

Total area: 761.56 acres.

Upper-Blue Forest Camp

T. 4 N., R. 32 E.,
Sec. 18: SW¼NE¼, S½NW¼NE¼, SE¼NW¼, S½NE¼NW¼.

Total area: 120 acres.

Water Canyon Ranger Station Administrative Site

T. 8 N., R. 29 E.,
Sec. 21. Lots 5 and 6;
Sec. 28: Lots 5, 6, 11 and 12.

Total area: 253.13 acres.

West Fork Black River Forest Camps

T. 5 N., R. 28 E.,
Sec. 29: S½SW¼,
Sec. 30: E½SE¼,
Sec. 32: W½NE¼, NE¼NW¼, N½SE¼, Lots 3 and 4.

Total area: 434.79 acres.

APACHE NATIONAL FOREST

FIRE LOOKOUT STATIONS

Bear Mountain Lookout

T. 2 N., R. 31 E., unsurveyed—expected to be legally described when surveyed, as follows:
Sec. 9: SE¼NW¼.

Total area: 40 acres.

Blue Lookout

T. 3 N., R. 29 E., unsurveyed—expected to be legally described when surveyed, as follows:
Sec. 36: SW¼NE¼, E½SE¼NW¼.

Total area: 60 acres.

Escudilla Lookout

T. 6 N., R. 31 E.
Sec. 6: Lot 4.
T. 7 N., R. 31 E.
Sec. 31. SE¼SW¼.

Total area: 80.10 acres.

P S. Lookout

T. 4 N., R. 28 E.
Sec. 9: NE¼SE¼.

Total area: 40 acres.

Reno Lookout

T. 3 N., R. 28 E., unsurveyed—expected to be legally described when surveyed, as follows:
Sec. 10: SE¼NE¼, NE¼SE¼,
Sec. 11. W½SW¼NW¼.

Total area: 100 acres.

APACHE NATIONAL FOREST

ROADSIDE ZONES

Arizona State Highway No. 73, Roadside Zone

A strip of land 200 feet on each side of the center line of Arizona State Highway No. 73 where it traverses forest land, through the following legal subdivisions:

T. 8 N., R. 26 E.,
Sec. 25: S½SE¼,
Sec. 26: S½SE¼, SE¼SW¼, Lot 1;
Sec. 35: Lot 2;
Sec. 36: NE¼NE¼.
T. 8 N., R. 27 E.,
Sec. 22: S½NE¼, W½SE¼, S½SW¼,
Sec. 23: S½NW¼, S½NE¼, NE¼NE¼,
Sec. 24: Lots 3 and 4;
Sec. 27: N½NW¼, SW¼NW¼,
Sec. 28: E½NE¼, SW¼NE¼, NW¼SE¼, N½SW¼, SW¼SW¼,
Sec. 29: NE¼SE¼, S½SE¼, S½SW¼,
Sec, 31: NE¼NW¼, Lot 1, N½NE¼,
Sec. 32: N½NW¼.

U. S. Highway No. 260, Roadside Zone

A strip of land 200 feet on each side of the center line of U. S. Highway No. 260, where it traverses Forest land, through the following legal subdivisions:

T. 5 N., R. 30 E.,
Sec. 2: SW¼NW¼,
Sec. 3: Lot 1, except area in conflict with H. E. 0140 (patented 12-19-10);
Sec. 12: NE¼NW¼.
T. 5 N., R. 31 E.,
Sec. 7: Lot 4, except area in conflict with H. E. 059541 (patented 2-20-31), SE¼SW¼, except area in conflict with H. E. 012759 (patented 3-31-15);
Sec. 16: S½SE¼, except area in conflict with H. E. 052306 (patented 3-24-27), NW¼SE¼, except area in conflict with H. E. 052306 (patented 3-24-27);
Sec. 17: NE¼SW¼, except area in conflict with H. E. 021247 (patented 12-16-19), S½NW¼, except area in conflict with H. E. 021243 (patented 9-24-20);
Sec. 18: S½NE¼, except area in conflict with H. E. 039265 (patented 9-19-23), SE¼NW¼, except area in conflict with H. E. 039265 (patented 9-19-23);
Sec. 21: E½NE¼,
Sec. 22: SW¼NW¼, N½SW¼, N½SE¼;
Sec. 23: NW¼SW¼, Lot 3.
T. 6 N., R. 30 E.,
Sec. 4: SW¼SW¼,
Sec. 5: NW¼SE¼, SE¼NW¼,
Sec. 9: NW¼NW¼, S½NW¼, NW¼SW¼, E½SW¼, SW¼SE¼,
Sec. 15: Lots 1, 2, 4, 8, except area in conflict with H. E. 047830 (patented 3-7-22);
Sec. 16: NE¼, NE¼NW¼,
Sec. 22: E½NE¼,
Sec. 23: SW¼NW¼, SW¼,
Sec. 26: N½NW¼, SW¼NW¼,
Sec. 27: E½SE¼, SW¼SE¼,
Sec. 34: W½NE¼, W½SE¼, SE¼SE¼.
T. 7 N., R. 30 E.,
Sec. 4: Lot 9;
Sec. 21: NE¼NW¼,
Sec. 28: NW¼NW¼,
Sec. 29: SW¼SE¼,
Sec. 32: N½NW¼, SE¼NW¼.
T. 8 N., R. 29 E.,
Sec. 13: N½NE¼, NE¼NW¼.
T. 8 N., R. 30 E.,
Sec. 7: Lots 3 and 4;
Sec. 17: SE¼SE¼, W½SE¼, E½SW¼, SW¼NW¼,
Sec. 18: N½SE¼, S½NE¼, NE¼SW¼, E½NW¼, Lots 1 and 2;
Sec. 20: E½SE¼,
Sec. 28: SW¼NW¼, N½SW¼,
Sec. 29: E½NE¼.

U. S. Highway No. 666, Roadside Zone

A strip of land 200 feet on each side of the center line of U. S. Highway No. 666, where it traverses Forest land through the following legal subdivisions:

T. 3 N., R. 29 E.,
Sec. 2: NW¼NW¼,
Sec. 3: E½NE¼, E½SE¼,
Sec. 10: E½NE¼, E½SE¼, SW¼SE¼, SE¼SW¼,
Sec. 11: W½NW¼,
Sec. 15: NW¼, NW¼SW¼,
Sec. 16: SE¼NE¼, SE¼,
Sec. 20: S½SE¼,
Sec. 21: W½NE¼, E½NW¼, W½SE¼, E½SW¼, SW¼SW¼,
Sec. 28: W½SW¼,
Sec. 29: NE¼, E½SE¼,
Sec. 32: NE¼NE¼,
Sec. 33: N½NW¼.
T. 4 N., R. 29 E.,
Sec. 35: S½SW¼, SE¼, SE¼NE¼,
Sec. 36: N½SW¼, S½NW¼, SW¼NE¼, N½SE¼.
T. 4 N., R. 30 E.,
Sec. 1: NW¼SW¼,
Sec. 11: E½SE¼, SW¼SE¼,
Sec. 12: W½NW¼, NW¼SW¼,
Sec. 14: NE¼NE¼, W½NE¼, and SE¼NW¼, except areas in conflict with H.E. 053633 (patented 4-26-24), N½SW¼, SW¼SW¼,
Sec. 15: S½SE¼ and SE¼SW¼, except areas in conflict with H.E. 031355 (patented 9-4-23);
Sec. 20: SE¼SE¼,
Sec. 21: W½SW¼, NE¼SW¼, SE¼NW¼, S½NE¼, NE¼NE¼,
Sec. 22: W½NW¼, NE¼NW¼, NW¼NE¼,
Sec. 23: NW¼NW¼,
Sec. 29: NE¼, W½SE¼, E½SW¼,
Sec. 31: N½SW¼, S½NW¼, NE¼NW¼, NE¼,
Sec. 32: W½NW¼, NE¼NW¼.
T. 4½ N., R. 30 E.,
Sec. 13: E½SE¼,
Sec. 23: S½SW¼, NE¼SW¼, E½SE¼, NE¼SE¼, SE¼NE¼,
Sec. 24: NW¼, N½NE¼,
Sec. 25: W½SW¼,
Sec. 26: E½SE¼, NW¼SE¼, NE¼SW¼, SW¼NE¼, NW¼,
Sec. 35: E½NE¼, E½SE¼,
Sec. 36: W½SW¼.
T. 4½ N., R. 31 E.,
Sec. 18: W½SW¼.
T. 5 N., R. 30 E.,
Sec. 11: NW¼SE¼, except area in conflict with H. E. 05117 (patented 6-5-14), E½SW¼,
Sec. 14: W½NE¼, E½NW¼, SW¼,
Sec. 22: E½NE¼, NE¼SE¼,
Sec. 23: W½NW¼, W½SW¼, SE¼SW¼,

Sec. 26: NW¼, SW¼,
Sec. 27: S½SE¼,
Sec. 33: SE¼, SE¼SW¼,
Sec. 34: N½NE¼, E½NW¼, SW¼NW¼, N½SW¼.

E. I. ROWLAND,
State Supervisor.

APRIL 28, 1955.

[F. R. Doc. 55-3628; Filed, May 4, 1955; 8:45 a. m.]

[Doc. 40]

ARIZONA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

An application, Serial No. Arizona 08550, for the withdrawal from location, sale, and entry, under the General Mining Laws of the lands described below, subject to valid and existing rights, was filed on April 12, 1955, by the United States Department of Agriculture.

The purpose of the proposed withdrawal: Administrative sites, recreation areas, or for other public purposes as set forth specifically with regard to each area or description within the Coconino National Forest.

For a period of thirty days from the date of publication of this notice, persons having cause to object to the proposed withdrawal may present their objections in writing to the State Supervisor for Arizona, Bureau of Land Management, 233-A Post Office Building, Phoenix, Arizona. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where proponents of the order can explain its purpose.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER, either in the form of a public land order or in the form of a notice of determination if the application is rejected. In either case a separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN

COCONINO NATIONAL FOREST

Bakers Butte Lookout Site

T. 12 N., R. 9 E.,
Sec. 2: S½SW¼NW¼SW¼, SW¼SE¼NW¼SW¼, NW¼SW¼SW¼, W½NE¼SW¼SW¼, N½SW¼SW¼SW¼, NW¼SE¼SW¼SW¼,
Sec. 3: SE¼SE¼NE¼SE¼, E½NE¼SE¼SE¼, NE¼SE¼SE¼SE¼.

Total area: 40.0 acres.

Buck Mountain Lookout Site

T. 15 N., R. 9 E.,
Sec. 20: S½NW¼SE¼SE¼, SW¼NE¼SE¼SE¼, SW¼SE¼SE¼, W½SE¼SE¼SE¼, SE¼NE¼SW¼SE¼, E½SE¼SW¼SE¼,
Sec. 29: NE¼NE¼NW¼NE¼, N½NW¼NE¼NE¼, NW¼NE¼NE¼NE¼.

Total area: 40.0 acres.

Hutch Mountain Lookout Site

T. 16 N., R. 9 E.,
Sec. 3: E½NW¼SW¼, E½W½NW¼SW¼, W½W½NE¼SW¼.

Total area: 40.0 acres.

Lee Butte Lookout Site

T. 17 N., R. 8 E.,
Sec. 22: SE¼SW¼.

Total area: 40.0 acres.

Mormon Lake Lookout Site

T. 17 N., R. 9 E.,
Sec. 3: SE¼SE¼ Lot 3, S½SW¼ Lot 2, SW¼SE¼ Lot 2, NW¼SW½NE¼, W½NE¼SW¼NE¼, N½SW¼SW¼NE¼, NW¼SE¼SW¼NE¼, E½NE¼SE¼NW¼, NE¼SE¼SE¼NW¼.

Total area: 40.05 acres.

East Pocket Know Lookout Site

T. 18 N., R. 6 E.,
Sec. 6: E½E½SW¼NE¼, W½SE¼NE¼, W½E½SE¼NE¼.

Total area: 40.0 acres.

Turkey Butte Lookout Site

T. 19 N., R. 5 E.,
Sec. 18: NW¼NE¼.

Total area: 40.0 acres.

Woody Mountain Lookout Site

T. 20 N., R. 6 E.,
Sec. 3: SE¼NE¼NW¼SW¼, E½SE¼NW¼SW¼, S½NW¼NE¼SW¼, SW¼NE¼NE¼SW¼, SW¼NE¼SW¼, W½SE¼NE¼SW¼, NE¼NE¼SW¼SW¼, N½NW¼SE¼SW¼, NW¼NE¼SE¼SW¼.

Total area: 40.0 acres.

Mt. Elden Lookout Site

T. 22 N., R. 7 E.,
Sec. 36: SE¼SE¼.

Total area: 40.0 acres.

Saddle Mountain Lookout Site

T. 24 N., R. 6 E.,
Sec. 26: SE¼NW¼NW¼, SW¼NE¼NW¼, NE¼SW¼NW¼, NW¼SE¼NW¼.

Total area: 40.0 acres.

Deadman Lookout Site

T. 24 N., R. 7 E.,
Sec. 26: S½N½SW¼NE¼, S½SW¼NE¼, N½N½NW¼SE¼.

Total area: 40.0 acres.

T-6 Spring Recreation Area (Proposed)

T. 18 N., R. 7 E.,
Sec. 25: S½SE¼, NE¼SE¼.

Total area: 120 acres.

O'Leary Peak Lookout Site (Proposed)

T. 23 N., R. 8 E.,
Sec. 3: SE¼SE¼.

Total area: 40 acres.

Lava River Cave Campground

T. 23 N., R. 5 E.,
Sec. 26: E½SE¼SW¼, W½SW¼SE¼.

Total area: 40 acres.

Dairy Spring Campground

T. 18 N., R. 8 E.,
Sec. 12: SE¼SE¼NE¼, NE¼NE¼SE¼.
T. 18 N., R. 9 E.,
Sec. 7: SW¼ of Lot 2, NW¼ of Lot 3.

Total area: 39.97 acres.

Double Springs Campground

T. 18 N., R. 8 E.,
Sec. 13: SE¼SE¼NE¼, NE¼NE¼SE¼.
T. 18 N., R. 9 E.,
Sec. 18: NW¼NW¼SW¼.

Total area: 29.83 acres.

Kehl Spring Campground

T. 12 N., R. 10 E.,
Sec. 8: SW¼SW¼SE¼, SE¼SE¼SW¼,
Sec. 17: NE¼NE¼NW¼, NW¼NW¼NE¼.

Total area: 40 acres.

Arizona Snow Bowl Recreation Area

T. 23 N., R. 6 E.,
Sec. 36: S½NE¼, SE¼NW¼, NE¼SW¼, N½SE¼.

Total area: 240 acres.

Knob Hill Administrative Site

T. 21 N., R. 7 E.,
Sec. 15: N½SE¼SE¼NW¼NW¼, NE¼SE¼NW¼NW¼, NE¼NW¼, N½NE¼.

Total area: 123.75 acres.

General Spring Guard Station

T. 12 N., R. 10 E.,
Sec. 1. Lots 1 and 2, SE¼NW¼, SW¼NE¼.

Total area: 162.44 acres.

E. I. ROWLAND,
State Supervisor

APRIL 28, 1955.

[F. R. Doc. 55-3630; Filed, May 4, 1955; 8:46 a. m.]

[Doc. 39]

ARIZONA

SMALL TRACT CLASSIFICATION ORDER NO. 33

APRIL 28, 1955.

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F R. 2473), I hereby classify the following described public lands totalling 251.48 acres in Maricopa County, Arizona, as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended:

GILA AND SALT RIVER MERIDIAN

T. 4 N., R. 3 E., Maricopa County, Arizona,
Sec. 5: S½N½, Lots 5 to 36, inclusive.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the Small Tract Act and applications under the mineral leasing laws.

3. The lands are located approximately seven miles north of Phoenix and one and one-half miles east of the Black Canyon Highway. The topography is from gently sloping to moderately steep with the drainage in a southerly direction. Culinary water is not available from any presently developed source. Schools, stores and other public facilities are available in the city of Phoenix. Rock outcrops in places but for the most part the area is covered with a sandy soil of varying depth. The climate is arid with an average annual precipitation of about eight inches. The summers are long and hot with temperature of 110° not uncommon. The winters are mild but killing frosts may occur in December, January and February. The vegetation is sparse and includes creosote, paloverde, saguaro and many other species of cacti.

4. Lots 5 to 36, inclusive, vary in size from 2.50 to 3.23 acres and are all rectangular in shape. A plat of survey, showing the location of each lot, is on file in the Land Office, Room 251, Main Post Office Building, Phoenix, Arizona. The tracts in the S½N½ of said Section 5 are all 2½ acres in size and are described by legal subdivisions. The ap-

praised price is $50.00 per tract. Rights-of-way thirty three feet in width for streets, roads and public utilities will be reserved on section lines and quarter, sixteenth and sixty-fourth subdivision lines.

5. Leases will be issued for a term of three years and will contain an option to purchase in accordance with 3 CFR 257.13. Lessees who comply with the general terms and conditions of their leases will be permitted to purchase their tracts at the price listed above provided that during the period of their leases they either (a) construct the improvements specified in paragraph 6 or (b) file a copy of an agreement in accordance with 43 CFR 257.13 (d) Leases will not be renewable unless failure to construct the required improvements is justified under the circumstances and nonrenewal would work an extreme hardship on the lessee.

6. To maintain their rights under their leases, lessees will be required either (a) to construct substantial improvements on their lands or (b) file a copy of an agreement with their neighbors binding them to construct substantial improvements on their lands. Such improvements must conform with health, sanitation, and construction requirements of local ordinances and must, in addition, meet the following standards. The home must be suitable for year-round use, on a permanent foundation and with a minimum of 500 square feet of floor space. The homes must be built in a workmanlike manner out of attractive materials properly finished. Adequate disposal and sanitary facilities must be installed.

7. Applicants must file, in duplicate, with the Manager, Land Office, Room 251, Main Post Office Building, Phoenix, Arizona, application Form 4–776 filled out in compliance with the instructions on the form and accompanied by any showings or documents required by those instructions. Copies of the application form can be secured from the above-named official.

The applications must be accompanied by a filing fee of $10.00 plus the advance rental of $15.00. Failure to transmit these payments with the application will render the application invalid. Advance rentals will be returned to unsuccessful applicants. All filing fees will be retained by the United States.

8. The lands are now subject to application under the Small Tract Act.

(a) All valid applications for lands in Lots 13 to 28, inclusive, and S½NW¼ of said section 5, filed prior to May 7, 1946, will be granted the preference right provided by 43 CFR 257.5 (a) All valid applications from persons entitled to veterans' preference filed after May 7, 1946, and prior to 10:00 a. m., June 3, 1955, will be considered as simultaneously filed at that time. All valid applications from persons entitled to veterans' preference filed after 10:00 a. m., June 3, 1955, will be considered in the order of filing. All valid applications from other persons filed after May 7, 1946, and prior to 10:00 a. m., September 2, 1955, will be considered as simultaneously filed at that time. All valid applications filed after 10:00 a. m., September 2, 1955, will be considered in the order of filing.

(b) All valid applications for lands in Lots 5 to 12, inclusive, Lots 29 to 36, inclusive, and S½NE¼ of said section 5, filed prior to 4:24 p. m., November 4, 1954, will be granted the preference right provided by 43 CFR 257.5 (a) All valid applications from persons entitled to veterans' preference filed after 4:24 p. m., November 4, 1954, and prior to 10:00 a. m., June 3, 1955, will be considered as simultaneously filed at that time. All valid applications from persons entitled to veterans' preference filed after 10:00 a. m., June 3, 1955, will be considered in the order of filing. All valid applications from other persons filed after 4:24 p. m., November 4, 1954, and prior to 10:00 a. m., September 2, 1955, will be considered as simultaneously filed at that time. All valid applications filed after 10:00 a. m., September 2, 1955, will be considered in the order of filing.

9. Inquiries concerning these lands shall be addressed to Manager, Land Office, Room 251, Main Post Office Building, Phoenix, Arizona.

E. I. ROWLAND,
State Supervisor

APRIL 28, 1955.

[F. R. Doc. 55-3629; Filed, May 4, 1955; 8:46 a. m.]

[Doc. 5]

CALIFORNIA

RESTORATION ORDER UNDER FEDERAL POWER ACT

APRIL 28, 1955.

Pursuant to the following listed determinations of the Federal Power Commission and in accordance with authority delegated to me by the Director, Bureau of Land Management, by section 2.5 of Order No. 541, dated April 21, 1954 (19 F. R. 2473, 2476) it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereinafter described, so far as they are withdrawn or reserved for power purposes, are hereby opened to disposition under applicable public land laws as provided below, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818) as amended, and as to DA–752, subject to the condition that there is reserved to the United States, its permittees or licensees the right to use the land or any part thereof for power purposes free from any and all claims for damages for such use or uses or for any use resulting from or incident to the construction, operation or maintenance of any hydroelectric power facilities authorized by the United States, and further that mining operations upon the subject land shall be conducted in such a manner that all tailings or debris be confined by substantial dikes or other structure so as not to be carried by storm water or otherwise into the reservoir area; as to DA–805, 808 and 841 (the SW¼SW¼SE¼, Sec. 2) subject to the stipulation that if and when the land is required in whole or in part for purposes of power development, any structures or improvements placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with the power development without cost or expense to the United States, its permittees or licensees, and as to DA–805 subject to the additional condition that the United States, its permittees or licensees shall not be held liable for any damage to the locator's workings, structures, machinery or improvements resulting from the construction, operation or maintenance of hydroelectric power facilities authorized by the United States; as to DA–811 subject to the stipulation that the land shall be occupied and used exclusively for mineral exploration and development and no facility or activity shall be erected or conducted thereon for other purposes until such time as compliance with the requirements of the United States mining laws have been made and patent issued, and subject to the further stipulation that the locator, his successors or assigns shall by means of substantial dikes or other adequate structures confine all mine tailings and other debris in such manner that they shall not be carried by storm waters or otherwise into the North Fork of the Feather River; as to DA–822, subject to the stipulation that the land shall be occupied and used exclusively for mineral exploration and development and no facility, structure, or activity shall be erected or conducted thereon for other purposes until such time as compliance with the requirements of the United States mining laws have been met and patent issued; and subject to the further condition that if and when the land is required, in whole or in part, for purposes of power development, any structures or improvements placed thereon, which shall be found to interfere with such development, shall be removed or so relocated as to eliminate interference therewith without cost or expense to the United States, its permittees or licensees; and as to DA–792, subject to the stipulation that mineral locators, their successors and assigns shall by means of substantial dikes or other adequate structures confine all their mine tailings and other debris in such manner that they shall not be carried by storm water or otherwise into the channel of the North Fork of the Mokelumne River, and as to DA–792, part B, subject to the further stipulation that there is reserved to the United States, its permittees or licensees the prior right to use any and all of the lands occupied by dams, reservoirs, conduits, roads and other appurtenant power project structures, as more accurately described upon project maps designated FPC Nos. 137–91, 137–92, 137–95, 137–131, 137–132 and 137–133, and subject to the further stipulation that no use shall be made of the lands by others which will in any manner interfere or be inconsistent with the use of the lands by the United States, its permittees or licensees for the purposes of power development. Determination DA–792 supersedes prior determinations to the extent that it affects the same lands, subject to vested rights acquired pursuant to the prior determinations.

Determination No	Dates and types of withdrawal	Type of restoration	Description of lands
CALIFORNIA			MOUNT DIABLO MERIDIAN CALIFORNIA
DA-731	Superseded by DA-752	--- --- ------ -----	
DA-752	Power Site Reserve No 87 of Dec. 20 1909.	Under applicable public land laws	T. 7 N. R 13 E , sec 33 unpatented portions of NE¼
DA-774	Power Site Reserve No 267 of Apr. 29, 1912.	do	T 16 N R 10 E sec 34 lot 2
DA-781	Power Project No 593 of Sept 5, 1929.	do	T. 6 N. R 13 E sec 7 NW¼NE¼ SE¼ NW¼.
DA-782 and DA-807	Power Site Reserve No 261 of Apr 19, 1912	do	T 6 N R 13 E , sec 20 lots 3 6 and 7
DA-783	Power Site Reserve No 696 of Oct 15 1918	For mining purposes only	T. 10 S., R 33 E., sec. 13, SW¼NE¼, S½NW¼ S½; sec 24, All; sec 25, N½NE¼, SE¼SW¼ S½SE¼. T 10 S., R 34 E.. sec. 18, S½SW¼
DA-792	Power Site Reserve No. 87 of July 2, 1910; Power Site Reserve No 436 of May 21 1914; and Project Nos 137 and 525	Under applicable public land laws	Part A: T. 7 N., R. 13 E., sec. 24 lots 1, 2, 5, and 6, E½ of lot 3, NW¼NW¼; sec. 25, NW¼NW¼; sec. 26, lot 2, SW¼SE¼ (lot 3), SE¼NE¼, SE¼SW¼; sec. 27, NE¼SE¼; sec. 28 NE¼ SE¼; sec. 31 NE¼SE¼; sec 32 lots 4, 5, and 6 SE¼NW¼; sec 33 lots 5 6 and 7; sec 35 NW¼NW¼. Part B: T. 7 N., R. 13 E., sec. 13, SE¼NE¼ E½SE¼, SW¼SE¼, NE¼SW¼; sec. 23 NE¼SE¼, SW¼SE¼; sec. 24, W½ of lot 3, lot 4, NE¼NE¼, N½NW¼NE¼ N½NE¼ NW¼, W½SW¼NW¼; sec. 26, N½NE¼, SW¼NE¼, E½NW¼, SW¼NW¼, N½SW¼ SW¼SW¼; sec. 27, SE¼NE¼ S½SE¼; sec 28 S½SE¼, SE¼SW¼; sec. 31, S½SE¼; sec. 32, lot 7, N½S½ SW¼SW¼; sec. 33, N½NE¼; sec. 34, N½NE¼ W½NW¼, SE¼NW¼.
DA-794	Power Project No 1202 of Mar 15, 1932.	do	T. 12 N. R 8 E sec 25 W½NW¼ S½SE¼ NW¼.
DA-805	Power Site Reserve No 87 of Dec. 20 1909.	do	T. 6 N , R. 14 E., sec 4 lot 4 SW¼NW¼; sec 5, lot 1, SE¼NE¼
DA-806	Power Site Reserve No. 263 of Apr. 13, 1912; Power Site Reserve No 693 of Apr. 11 1918.	do	T. 45 N. R. 7 W., sec 11, lots 1, 4, 5 8, 9 and 11; sec 12 NE¼NE¼
DA-808	Power Project No 334 of Aug 2, 1922.	do	T. 15 N R 10 E sec 16 lots 1, 2, 3 4, NE¼ SW¼.
DA-810	Power Site Reserve No 428 of Mar 21 1914	do	T. 37 N., R. 4 E., sec 26, SW¼SE¼, S½SW¼; sec. 33, SE¼SE¼; sec. 34, NE¼NE¼, S½ NE¼, SE¼NW¼ NE¼SW¼; sec 35 SW¼ NW¼ N½NW¼.
DA-811	Power Site Classification No 179 of May 13 1927; Project Nos. 737 1258 1297, and 1962	For mining purposes only	T. 25 N , R 6 E. sec 23, lots 1, 2, SW¼SE¼; sec 26 lots 2 3, 4 8 9 Plumas National Forest
DA-816	Power Site Classification No. 28 of Apr. 22, 1922.	Under applicable public land laws	T 17 N R 7 E sec 8 SE¼SE¼
DA-817 and DA-847	Power Site Reserve No. 87 of Dec. 20, 1909; Project No 593 of Sept 5, 1929.	do	T 6 N R 13 E sec 9 S½NE¼
DA-822	Power Project No 187 of Mar 14, 1921.	For mining purposes only.	T. 19 N. R. 10 E sec 6 S½NE¼SE¼ Tahoe National Forest
DA-826	Power Site Reserve No 261 of Apr 19, 1912	Under applicable public land laws	T 6 N R 13 E sec 2 lots 1 8
DA-841	Power Site Reserve No 655 of Sept 7 1917	do --	T. 27 S., R. 32 E., sec. 1, SW¼SW¼; sec 2 SW¼SE¼; sec 12 NW¼NW¼

The above-described lands contain approximately 6 240 acres of public domain

The lands described are widely scattered throughout northern California. They occupy in general, the foothill and mountainous areas and the climate and precipitation vary accordingly Accessibility is from good to very poor varying with individual tracts The land is topographically unfit for agriculture in most cases but most of it provides some forage for range livestock, and certain tracts may be suited to homesite development Some of the lands are probably mineral in character.

The lands described shall be subject to application by the State of California for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act as amended.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m , local time California on the 91st day following the date of publication At that time the said lands shall become subject to application petition, location, and selection, subject to valid existing rights the provisions of existing withdrawals, the requirements of applicable laws and the 90-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U S C 279–284), as amended All applications filed pursuant to the Veterans' Preference Act of 1944, on or before 10:00 a m. local time California, of the 91st day after the date of publication shall be treated as though simultaneously filed at that time All other applications under the public-land laws filed on or before 10:00 a m local time, California, of the 181st day after the date of publication shall be treated as though filed simultaneously at that time

Inquiries concerning these lands shall be addressed to the Manager, Land Office Room 352 New Federal Building Sacramento, California, except as to those described in DA-783, which inquiries shall be directed to the Manager Land Office, Room 1512 Post Office Building, Los Angeles California

L. T HOFFMAN
State Supervisor

[F R Doc 55-3634; Filed May 2 1955; 3:51 p m]

[Doc 6]

CALIFORNIA

RESTORATION ORDER UNDER FEDERAL POWER ACT

APRIL 28, 1955

Pursuant to the following listed determinations of the Federal Power Commission and in accordance with authority delegated to me by the Director Bureau of Land Management by section 2 5 of Order No 541, dated April 21 1954 (19 F R 2473–2476), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals the lands hereinafter described so far as they are withdrawn or reserved for power purposes are hereby opened to disposition under the public land laws as provided below, subject to the provisions of section 24 of the Federal Power Act of June 10 1920 (41 Stat 1075; 16 U. S C 818), as amended and subject to the stipulation that if and when the lands are required in whole or in part for power development purposes any structures or improvements placed thereon which may be found to obstruct or interfere with such development shall without cost, expense, or delay to the United States its licensees or permittees be removed or relocated insofar as may be necessary to eliminate interference with such power development; as to DA–862–863 subject to the further condition that the lands shall be occupied and used exclusively for mineral exploration and development and no facility, structure or activity shall be erected or conducted thereon for other purposes until such time as there has been compliance with the requirements of the United States mining laws and patent issued, and subject to the further condition that no waste gangue or tailings will be dumped into or allowed to get into the Kern River or any tributary thereof and that any locator his successores or assigns, shall claim no damages against the United States or its permittees or licensees for injury to workings or improvements placed upon the lands resulting from construction operation or maintenance of any power project works upon the lands

Determination No	Dates and types of withdrawal	Type of restoration	Description of lands
CALIFORNIA			MT. DIABLO MERIDIAN CALIFORNIA
DA-851	Water Power Project No 247, of Sept. 13, 1921.	Applicable public land laws.	T. 35 N., R. 9 W , sec. 28 E½E½E½NW¼, S½SE¼; Trinity National Forest.
DA-862-863	Power Site Classification No. 45 of July 7, 1922; Water Power Project No. 564, of Sept. 25, 1925; Project No. 722, transmission lines under license to Southern California Edison Co.	For mining purposes only	T. 27 S., R 32 E., sec. 16 all; sec. 17, NE¼, E½NW¼, SW¼NW¼, S½; sec 18 NE¼ SE¼, S½SE¼; sec. 19, all; sec. 20 N½NE¼, SW¼NE¼, NW¼, N½SW¼, SW¼SW¼; sec. 21, N½N½; sec. 30, Lot 2, N½NE¼, SW¼ NE¼ E½NW¼; Sequoia National Forest.

The areas described total 2,914.33 acres of public land.

The lands described in DA–851 shall be subject to application by the State of California for a period of ninety days from the date of publication of this order in the FEDERAL REGISTER, for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended. This order shall not otherwise become effective to change the status of lands described in DA–851, until 10:00 a. m., local time, California, on the ninety-first day following publication. At that time the said lands shall become subject to disposition under applicable public land laws.

The lands described in DA–862–863 are also subject to application by the State of California for a period of 90 days for rights-of-way for public highways or as a source of material for the construction and maintenance of such highways, as provided by section 24 of the Federal Power Act, as amended. The State of California, having been duly notified on March 3, 1955, of intention to restore said lands, the State's ninety-day preference period shall expire on June 3, 1955, at 10:00 a. m., local time, California. This order shall not otherwise become effective to change the status of lands described in DA–862–863, until 10:00 a. m., local time, California, of the thirty-fifth day following the date of this order, said thirty-fifth day being June 3, 1955. At that time, the lands shall be open to location, entry and patenting under the United States Mining Laws, subject to the conditions stated above, and to rights previously acquired, or accrued since March 3, 1955, by the State of California, in connection with the existing State Highway, Road Ker–57–H, passing through Sections 16, 17, 20 and 21, T. 27 S., R. 32 E., M. D. M.

All lands described in this order are within National Forests, and therefore not subject to the provisions contained in the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284) as amended, granting preference rights to veterans of World War II and others.

Inquiries relating to these lands shall be addressed to the Manager, Land Office, Room 352 New Federal Building, Sacramento, California.

L. T. HOFFMAN,
State Supervisor

[F. R. Doc. 55–3635; Filed, May 2, 1955; 4:44 p. m.]

MONTANA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The United States Forest Service, Department of Agriculture, has filed an application, Serial No. Montana 011562, for the withdrawal of the lands described below, from location under the general mining laws.

The applicant desires the land for administrative sites and recreational areas.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, 1245 North Twenty-ninth Street, Billings, Montana.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MONTANA PRINCIPAL MERIDIAN

BEAVERHEAD NATIONAL FOREST

Hammond Ranger Station Administrative Site

T. 5 S., R. 2 E.,
Sec. 32, W½NE¼SW¼, NW¼SW¼.

The area described contains 60 acres

Steel Creek Ranger Station Administrative Site

T. 3 S., R. 14 W.,
Sec. 4, SW¼NW¼, SW¼SE¼NW¼, NW¼NE¼SW¼, NW¼SW¼.
Sec. 5, S½NE¼, N½SE¼.

The area described contains 260 acres.

Bender Ranger Station Administrative Site

T. 1 N., R. 17 W.,
Sec. 28, SW¼NE¼, NW¼SE¼.

The area described contains 80 acres.

Elk Creek Administrative Site

Unsurveyed T. 3 S., R. 12 W.

A tract of land described by metes and bounds as follows: Beginning at a point which lies S. 370° W. 91.50 chains from the southwest corner of Section 34, T. 2 S., R. 12 W., thence from said point S. 20° W. 20.00 chains, thence S. 70° E. 20.00 chains, thence N. 20° E. 20.00 chains, thence N. 70° W. 20.00 chains to the place of beginning.

The area described contains 40 acres.

O'Dell Lookout Administrative Site

T. 3 S., R. 13 W.,
Sec. 18, E½SW¼NW¼, W½SE¼NW¼.

The area described contains 40 acres.

Bender Lookout Administrative Site

T. 1 S., R. 17 W.,
Sec. 4, SE¼NE¼ Lot 5, NE¼SE¼ Lot 5, SW¼NW¼ Lot 6, NW¼SW¼ Lot 6.

The area described contains 10 acres.

Sacajawea Memorial Recreation Area

T. 10 S., R. 15 W.,
Sec. 9, Lot 4;
Sec. 16, Lot 1.

The area described contains 83.86 acres.

Elkhorn Recreation Area

T. 4 S., R. 12 W.,
Sec. 29, NE¼, S½NW¼, S½,
Sec. 30, Lot 4, SE¼SW¼, SE¼,
Sec. 31, Lots 1, 4, 5, 6, 7, N½NE¼, SE¼NE¼, NE¼NW¼, NE¼SE¼.
Sec. 32: NW¼, N½SW¼, Lots 1, 2.

T. 5 S., R. 12 W.,
Sec. 6, Lots 1, 2, 3.

The area described contains 1042.44 acres.

Cliff and Wade Lakes Recreation Area

T. 11 S., R. 1 E.,
Sec. 34, SE¼SE¼,
Sec. 35, SW¼SW¼.

T. 12 S., R. 1 E.,
Sec. 2, That part of Lots 3, 4, 5 not included in HES No. 830; that part of Lots 6 and 9 and NW¼SE¼ and SE¼SE¼ not included in HES No. 1030; and Lots 7, 8;
Sec. 3, Lots 1, 5, 6, 7;
Sec. 11, That part of Lot 1 not included in HES No. 1039, Lots 2, 3, 4, E½SE¼.
Sec. 12, That part of W½W½ not included in HES No. 1030;
Sec. 13, Lots 1, 2, 3, SW¼SW¼.
Sec. 14, Lots 1, 2, 3, 4, 5, NW¼NE¼,
Sec. 23, Lots 1, 2, NE¼NW¼NE¼, N½SE¼NE¼, SE¼SE¼NE¼, NE¼NE¼SE¼.
Sec. 24, Lots 1, 2, 6, 7, 8, 9, and that part of Lots 3, 4, and 5 not included in HES No. 793;
Sec. 25, Lots 1 to 14 inclusive and N½NW¼SE¼.
Sec. 35, Lots 1, 2, 3, S½NE¼NE¼, SE¼NW¼NE¼, E½SE¼NW¼, NE¼NE¼SW¼, N½N½SE¼.
Sec. 36, Lots 1, 2, 3, 4, N½NW¼SW¼.
T. 12 S., R. 2 E.,
Sec. 30, Lots 1, 2, 3, 4, 5.

The area described contains approximately 2096 acres.

MONTANA PRINCIPAL MERIDIAN

BITTERROOT NATIONAL FOREST

Bluejoint Hot Springs Recreation Area

T. 1 S., R. 22 W.,
Sec. 31, S½SW¼SE¼.
T. 2 S., R. 22 W.,
Sec. 6, Lot 2 and E½ Lot 3.

The area described contains 93.57 acres.

Ditch Creek Recreation Area

T. 1 S., R. 22 W.,
Sec. 15, HES No. 1122 and that part of Lot 1 not included in HES No. 1122.

The area described contains approximately 80 acres.

R. D. NIELSON,
State Supervisor
Bureau of Land Management.

APRIL 28, 1955.

[F. R. Doc. 55–3639; Filed, May 4, 1955; 8:48 a. m.]

NEVADA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

APRIL 29, 1955.

The Department of the Navy, District Public Works Office, 12th Naval District, San Bruno, California, has filed an application, Serial No. Nevada 013136, for the withdrawal of the lands described below, from all forms of appropriation and use including grazing, mineral leasing, and mining locations.

The applicant desires the land for training aircraft in air to air gunnery.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

T. 25 N., R. 25 E., M. D. M. Nevada, Secs. 1 to 30 incl.
T. 25 N., R. 26 E., M. D. M. Nevada Secs. 1 to 30 incl.
T. 25 N., R. 27 E., M. D. M. Nevada, Secs. 1 to 30 incl.
T. 26 N., R. 25 E., M. D. M. Nevada, All.
T. 26 N., R. 26 E., M. D. M. Nevada, All.
T. 26 N., R. 27 E., M. D. M. Nevada, All.
T. 27 N., R. 25 E., M. D. M. Nevada, All.
T. 27 N., R. 26 E., M. D. M. Nevada, All.
T. 27 N., R. 27 E., M. D. M. Nevada, All.
T. 28 N., R. 25 E., M. D. M. Nevada, All.
T. 28 N., R. 26 E., M. D. M. Nevada, All.
T. 28 N., R. 27 E., M. D. M. Nevada, All.
T. 29 N., R. 25 E., M. D. M. Nevada, All.
T. 29 N., R. 26 E., M. D. M. Nevada, All.
T. 29 N., R. 27 E., M. D. M. Nevada, All.
T. 30 N., R. 25 E., M. D. M. Nevada, All.
T. 30 N., R. 26 E., M. D. M. Nevada, All.
T. 30 N., R. 27 E., M. D. M. Nevada, All.
T. 31 N., R. 25 E., M. D. M. Nevada, All.
T. 31 N., R. 26 E., M. D. M. Nevada, All.
T. 31 N., R. 27 E., M. D. M. Nevada, All.
T. 32 N., R. 25 E., M. D. M. Nevada, All.
T. 32 N., R. 26 E., M. D. M. Nevada, All.
T. 32 N., R. 27 E., M. D. M. Nevada, All.
T. 25 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl; 16 to 21 incl., 28 to 30 incl.
T. 26 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 27 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 28 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 29 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 30 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 31 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.
T. 32 N., R. 28 E., M. D. M. Nevada, Secs. 4 to 9 incl., 16 to 21 incl., 28 to 33 incl.

E. R. GREENSLET,
State Supervisor

APRIL 27, 1955.

[F. R. Doc. 55-3638; Filed, May 4, 1955; 8:47 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. S-55]

PACIFIC FAR EAST LINE, INC.

NOTICE OF HEARING

Notice is hereby given that a hearing has been authorized and directed to be held concerning the application of Pacific Far East Line, Inc., for written permission under section 805 (a) of the Merchant Marine Act, 1936, as amended, to carry cargoes between ports in Hawaii and ports in California, Oregon, and Washington on unsubsidized transpacific voyages with cargo vessels.

The purpose of the hearing is to receive evidence relevant to whether granting such application (a) would result in unfair competition to any person, firm or corporation operating exclusively in the coastwise or intercoastal service, or (b) would be prejudicial to the objects and policy of the said act.

The hearing will be conducted by an Examiner in accordance with the Board's rules of practice and procedure at a time and place to be announced, and a recommended decision will be issued.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to intervene in this proceeding are requested to notify the Secretary of the Board accordingly on or before May 16, 1955, and should promptly file intervening petitions in accordance with said rules of practice and procedure.

Dated: May 2, 1955.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 55-3668; Filed, May 4, 1955; 8:54 a. m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[Commissioner Delegation Order 2]

ASSISTANT COMMISSIONER (TECHNICAL) AND DIRECTOR, INTERNATIONAL TAX RELATIONS DIVISION

DELEGATION OF AUTHORITY TO COMMUNICATE AND CONSULT ON TAX MATTERS WITH FINANCE MINISTRY OF SWEDEN

Pursuant to authority vested in me as Commissioner of Internal Revenue:

1. There is hereby delegated to the Assistant Commissioner (Technical) and the Director, International Tax Relations Division, the authority to perform the function delegated to the Commissioner of Internal Revenue by Treasury Department Order No. 150-38 to communicate and consult on tax matters with the Finance Ministry of Sweden.

2. The exercise of the authority delegated herein to the Director, International Tax Relations Division, shall be subject to the direction and supervision of the Assistant Commissioner (Technical) who shall have authority to revoke or modify all or any part of the authority delegated to the Director, International Tax Relations Division.

3. This order is effective April 20, 1955.

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

[F. R. Doc. 55-3652; Filed, May 4, 1955; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10883; FCC 55M-389]

NEWPORT BROADCASTING CO. (KNBY)

ORDER CONTINUING HEARING

In re application of Newport Broadcasting Company (KNBY), Newport, Arkansas, Docket No. 10883, File No. BP-9081, for construction permit.

The Hearing Examiner having under consideration a petition filed on April 28, 1955, by Newport Broadcasting Company, requesting that the further pre-trial conference in the above-entitled proceeding presently scheduled for May 3, 1955, and the hearing in such proceeding presently scheduled for May 9, 1955, be continued to May 31, 1955 and June 6, 1955, respectively;

It appearing, that more time is needed for preparation of a proposed stipulation in such form that it can be discussed in detail at the pre-trial conference;

It further appearing, that all other counsel in the proceeding have informally agreed to a waiver of the so-called "four-day rule," and have no objection to a grant of the petition; and that good cause has been shown for the grant thereof;

It is ordered, This 29th day of April 1955, that the petition be and it is hereby granted; and the pre-trial conference be and it is hereby continued to May 31, 1955, at 10:00 a. m. and the hearing be and it is hereby continued to June 6, 1955, at 10:00 a. m.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-3654; Filed May 4, 1955; 8:50 a. m.]

[Docket No. 11141; FCC 55M-391]

THEODORE FEINSTEIN

ORDER CONTINUING HEARING

In re application of Theodore Feinstein, Newburyport, Massachusetts, Docket No. 11141, File No. BP-9027; for construction permit.

The Hearing Examiner having under consideration the above-entitled proceeding;

It appearing, that the presently scheduled hearing date conflicts with another hearing assignment on the Hearing Examiner's calendar, and that a further pre-hearing conference should be held prior to hearing herein;

It is ordered, This 29th day of April 1955, on the Hearing Examiner's own motion, that the hearing now scheduled for May 13, 1955, is continued until May 25, 1955, at 10:00 a. m.

It is further ordered, That all parties, or their attorneys, are directed to appear for a further pre-hearing conference, pursuant to the provisions of § 1.841 of the Commission's rules, at the Commis-

sion's offices in Washington, D. C., at 9:00 a. m., May 12, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-3655; Filed, May 4, 1955; 8:50 a. m.]

[Docket Nos. 11375-11380; FCC 55-507]

MICHIGAN BELL TELEPHONE CO. AND WISCONSIN TELEPHONE CO.

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Michigan Bell Telephone Company, Docket No. 11375, File No. 5832-F1-P-H; Michigan Bell Telephone Company, Docket No. 11376, File No. 5833-F1-P-H; Michigan Bell Telephone Company, Docket No. 11377, File No. 5834-F1-P-H; Michigan Bell Telephone Company, Docket No. 11378, File No. 5835-F1-P-H; Michigan Bell Telephone Company, Docket No. 11379, File No. 5836-F1-P-H, for new VHF Public Class III-B coast stations at Hancock, Port Huron, Escanaba, East Tawas, and Marquette, Michigan, respectively; and Wisconsin Telephone Company, Docket No. 11380, File No. 5299-F1-P-H; for new VHF Public Class III-B coast station at Green Bay (Glenmore), Wisconsin.

1. The Commission has before it protests filed March 11, 1955, by the Lorain County Radio Corporation (hereinafter called Lorain) and Central Radio Telegraph Company (hereinafter called Central) respectively, pursuant to section 309 (c) of the Communications Act of 1934, as amended, protesting the Commission's action of February 10, 1955 granting without hearing the above-indicated applications of Michigan Bell Telephone Company (hereinafter called Michigan) and Wisconsin Telephone Company (hereinafter called Wisconsin) for new VHF Public Class III-B coast stations to be located at the points indicated; oppositions to said protests filed by Michigan and Wisconsin, on March 31, 1955,[1] and a reply to such oppositions filed by Lorain on April 7, 1955.

CENTRAL'S PROTEST

2. Central alleges that it is the licensee of station WLC, a Public Class II-B Coast Station at Rogers City, Michigan, through which it renders medium and high frequency public radiotelephone service; that, on February 10, 1955, it was granted a construction permit for a new VHF Public Class III-B Coast Station at Rogers City, to operate on the frequencies 161.9 and 156.8 Mc in conjunction with, and supplemental to, the existing operations of station WLC; that the proposed stations to which the protest is addressed will divert traffic from Central's existing and proposed facilities at Rogers City; that such diversion of traffic will have an adverse economic effect upon Central's ability to serve the public; and that the proposed VHF station at East Tawas "will cause interference" to Central's proposed VHF station at Rogers City.

3. In support of the foregoing, Central further alleges that it, and others, are presently rendering an integrated MF and HF Maritime Mobile Service on the Great Lakes; that the recently authorized VHF station of Central will supplement this service; that the existing integrated MF-HF service on the Great Lakes is tailored to the needs of its users; that construction of the protested facilities will divert traffic from the MF-HF system, reducing Central's revenue and its ability to render service, to the detriment of the existing Great Lakes service; that the rates to be charged for service through the protested stations will be non-compensatory and constitute unfair competition; that the service to be rendered through the protested stations will provide unnecessary duplication of service; that the proposed VHF stations will cause interference to the existing VHF stations and newly authorized VHF stations authorized to operate in conjunction with MF-HF stations; that the proposed VHF stations will not be economically self-sustaining in light of the pattern of trade in the areas proposed to be served; that the expected reduction in Central's revenues which would be occasioned by traffic diversion will cause a reduction in such safety services as weather broadcasting and reporting and emergency medical advice; that the applicants are not likely to offer "message service" (a type of relayed communication service), which is a type of service demanded by a majority of users; and that shore-to-ship calls will be delayed because of the necessity for ascertaining which VHF station is within communication range of the desired vessel.

4. More specifically, Central alleges that various fleets trade in the ports of Saginaw and Bay City, which it serves; that increased traffic is anticipated at the port of Rockport and, if there were no station at East Tawas, Central would get all Rockport's business; that Central has obtained the major portion of the business of the port of Alabaster, which it will lose to a station at East Tawas; that Central will lose business from the port of Alpena to a station at East Tawas; that Central will lose certain fleet traffic to the applicants' proposed stations at Escanaba, Marquette, Port Huron, and Houghton-Hancock; that there is no local traffic for handling at Houghton-Hancock; that a station at Glenmore will divert traffic now handled by Central or Lorain; and that traffic from pleasure craft now enjoyed by Central would be diverted to the proposed stations.

5. Central has set forth no specific issues, as such, but seeks a hearing on "the issues presented herein"

LORAIN'S PROTEST

6. Lorain alleges that the users of maritime service on the Great Lakes consist of the crews and operators of vessels thereon "and those persons with whom they must communicate"; that it is essential, for reasons of safety and economics, that contact be available at all times to and from all points on the Lakes; that the presently existing "integrated" system of MF-HF-VHF communications on the Lakes provides this correspondence; that such "integrated" system now comprises eight coast stations, of which four operate on all available MF-HF-VHF bands (2-3 Mc, 4-5 Mc, 8-9 Mc, and 150-160 Mc) that, of these four stations, three are operated by Lorain at Lorain, Ohio; Port Washington, Wisconsin; and Duluth, Minnesota and one by Illinois Bell Telephone Company at Chicago, Illinois; that the balance of the existing system includes a MF-VHF station of Michigan at Detroit, Michigan; a VHF station of Michigan at Sault Ste. Marie, Michigan; a MF-HF station of Central at Rogers City, Michigan; a MF-HF station of Radiomarine Corporation of America at Buffalo, New York; and Lorain's VHF station at Geneva, Ohio; that these stations, in the aggregate, can reach every properly radio equipped vessel on the Lakes, no matter where located; that protestant is an important part of the present integrated system; that it lost money in its operation for 1954; that a diversion of traffic from protestant to the protested VHF stations will result in further losses; that operation of the protested stations will create "needless electrical interference" which will adversely affect protestant; that applicants' rate structure for the proposed service is "discriminatory against protestant and other independent operators * * * as well as other users of the Bell System * * *" (citing alleged examples) that such unlawful rate structure will result in complete disintegration of the present Lakes radiotelephone system; that the lower rates of the Bell companies for VHF service result in misuse of the VHF channels; that use of MF channels is more efficient than VHF; that each proposed station may "capture" enough traffic from existing facilities of protestant and others to affect seriously the economic position of the latter without, however, obtaining enough traffic to sustain the operations of such new stations; that it is feasible for the applicants, as an alternative to the instant proposals, to afford service to vessels by use of facilities presently licensed to them in the Domestic Public Land Mobile Radio Service, pursuant to the provisions of § 6.205 of the Commission's rules; that the proposed stations will extend service of the Bell System into Canada and to Canadian vessels, and, if the result of a grant of the applications will help to eliminate protestant as an operator of communication facilities, there is a question whether section 314 of the Communications Act will be violated.

7. Lorain requests that the applications be designated for hearing upon the following issues:

[1] At the request of, and pursuant to stipulation by, the respective protestants and applicants herein involved, the time within which to file oppositions to such protests was extended from March 21, 1955 to and including March 31, 1955, and the time of the Commission to dispose of such protests was extended to and including April 27, 1955.

1. To determine the facts with respect to proposed facilities, personnel, rates, regulations, practices and services.

2. To determine the lawfulness of the rates, practices, regulations, and classifications proposed by the applicant including, but not limited to, whether or not applicant's proposals violate sections 201 and 202 of the Communications Act.

3. To determine the nature and amount of traffic to be handled by each of the proposed stations, and from what sources such traffic will be derived.

4. To determine the amount of revenues to be received by each of the proposed stations; the costs to each applicant for constructing and operating each proposed station, and the net operating revenues, if any, therefrom.

5. To determine the extent of the need for the proposed service in the area proposed to be served by the applicant in the light of the existing overall MF–HF–VHF integrated service on the Great Lakes and the provisions of § 6.205 of the Commission's rules.

6. To determine the full effect of the proposed service on the existing overall MF–HF–VHF integrated service furnished by existing stations on the Great Lakes and upon the companies furnishing such service.

7. To determine the facts with respect to the physical connections, through routes, division of tolls, and arrangements proposed by the applicants with respect to inter-connection with landline facilities and the lawfulness thereof, particularly when compared with such arrangements as to landlines by the Bell companies with protestant and the other non-Bell companies operating stations on the Great Lakes.

8. To determine whether it would be in the public interest to permit the applicant to use the frequencies proposed in the light of the existing overall MF–HF–VHF integrated service on the Great Lakes and the increased interference that may be caused thereby.

9. To determine the full scope and extent of the "coordinated move" by the Bell companies on the Great Lakes; namely, to determine Bell's complete plans with respect to applications for other and additional stations on the Great Lakes, and the reasons therefor.

10. To determine whether a grant of these applications would result in an unlawful monopoly or undue concentration of communications facilities and service in the hands of one system, and whether such grant would be in violation of section 314 of the Communications Act.

THE OPPOSITION TO THE PROTESTS AND THE REPLY TO THE OPPOSITION

8. On March 31, 1955, Wisconsin and Michigan filed respective oppositions to the protests. These oppositions, in summary, urge that the protests fail to meet the statutory requirements of section 309 (c) of the act, in that protestants have failed to show standing to protest and have failed to allege "with particularity the facts, matters, and things relied upon" Further, it is urged that, if the protests are allowed, protestants should have the burden of proof on any issues designated for hearing. On April 7, Lorain filed a reply to these oppositions which, argumentatively, deals with various matters raised in the oppositions.

DISPOSITION OF THE PROTESTS

9. In view of the fact that each protestant would be in competition with the applicants, jointly and severally, for public correspondence on the Lakes and that each protestant has alleged that it will be financially injured by the instant grants because of anticipated diversion of traffic, we find that each of the protestants is a "party in interest" with standing to protest under section 309 (c) of our act. See FCC v. Sanders Brothers Radio Station, 309 U. S. 470.

10. While, as noted above, Central set out no specific issues as such, it appears that the issues suggested by Lorain encompass all of the matters which Central contemplated.

11. Issues 1, 3, 4 and 9 of Lorain relate to matters which the Commission would desire to have developed as a background in any hearing which might be held herein. Moreover, the matters to be developed under such issues are generally within the sole knowledge and control of the applicants. Accordingly, we adopt those issues and direct that the applicants shall have the burden of proof thereon.

12. Issue 5 of Lorain appears to assume two premises: (1) That there is a lack of need, or a question as to whether there is a need, for the applicants' proposed service and (2) that the service to vessels contemplated by § 6.205 of our rules meets the needs of the Maritime Mobile Service on the Lakes. These two considerations, though joined by Lorain in a single issue, are not mutually inter-dependent. Protestants indicate, from the standpoint of propagation coverage, at least, that service on the Lakes is adequate. From the standpoint of service (including, but not limited to, such matters as circuit availability, peak loads, quality of transmission, etc.) nothing has been said. We believe that all the matters relating to this problem should be considered. It appears that protestants now operate the major portion of the facilities serving the Lakes. A showing of adequacy of the present service certainly is a prerequisite to questioning the need for the proposed service.

13. With respect to the possibility of applicants affording service to vessels under the provisions of § 6.205 of our rules, Lorain has failed to specify with particularity what proposed or existing Domestic Public Land Mobile Radio Service stations of applicants may be used in that connection, as well as the adequacy of such service to meet maritime needs.[2]

[2] Protestants recognize, in their allegations, that the maritime service has special needs in terms of safety and other communications requirements. The Commission, too, has recognized this in establishing a separate maritime service and in requiring, in the case of Domestic Public Land Mobile Radio Service stations serving vessels, that such service be discontinued upon the establishment of a VHF maritime station in the same area.

14. Accordingly, we conclude that protestants have not specified with particularity the facts, matters and things relied upon to support all of issue 5. That portion of the issue which relates to adequacy of the existing service and need for the proposed service will be rephrased as follows:

To determine whether the existing public maritime mobile service on the Great Lakes is adequate to serve the present and reasonably forseeable future public need therefor.

and the protestants shall have the burden of proof thereon.

15. With respect to issue 6, protestants have alleged in various ways that the establishment of the stations would have an adverse effect upon the existing service on the Lakes and the companies furnishing such service. The development of this issue requires the production of facts which, generally, are particularly within the knowledge or competence of protestants. Accordingly, this issue is designated for inclusion in the hearing, but the burden of proof shall be upon the protestants. However, the issue will be re-phrased to delete the words "existing overall" and "integrated" which assume conclusions that we desire protestants establish on the record.

16. A portion of issue 8, "To determine whether * * * to permit the applicant to use the frequencies proposed in the light of the existing overall MF–HF–VHF integrated service on the Great Lakes * * *" assumes certain conclusions which may or may not be established under issue 5, as we have stated it. Accordingly, we deem it necessary to delete this portion of issue 8. The balance of this issue relates to the question as to whether the proposed use of the frequencies will result in "increased interference." The allegations of protestants are most general as to this matter. Central alleges the conclusion that the proposed station at East Tawas "will cause interference" with that protestant's proposed station at Rogers City. Whether this "interference" will be harmful electrical interference[3] is not stated, nor is there any indication of the amount of interference, or any technical basis or support advanced for such conclusion. Lorain, on the other hand, merely alleges that reference to a map (Exhibit A to its protest) "will show that the proposed new stations of Bell will create additional needless electrical interference * * *" Whether the interference will be harmful is not shown, nor is there given any specific explanation of the nature or degree of the alleged interference or to what such interference will be occasioned. Thus, we again conclude that the statutory requirement of section 309 (c) of the act as to specificity and particularity have not been met on this issue, and we do not include it in the hearing. (Cf. In re Application of T. E. Allen & Sons, Inc., etc., 9 R. R. 590a.)

17. Designedly, we have reserved comment with respect to issues 2, 7 and 10 until this time. These issues, we believe, require different handling. Issue 2 relates to the lawfulness of the charges

[3] See definition § 2.1 of Commission's rules.

(rates) etc., proposed by applicants (which protestants allege, with citation of examples, are non-compensatory, etc.) Issue 7 is not, to us, at all clear in its meaning. However, taking issues 2 and 7 together, and construing them in the light of the allegations of Lorain, we are of the opinion that the essence of Lorain's allegations is that the applicants' rate treatment of their own radio-link plus landline handling of maritime radio traffic on the Lakes results in a non-compensatory charge for such service which, when compared to protestants' rate treatment for their radio-link plus applicants' charges for the landline handling of their through traffic, results in an unfair competitive situation.

18. In the light of this construction of protestants' position, we will re-phrase Lorain's issues 2 and 7 as follows:

(a) To determine whether the rates, charges, classifications, practices and regulations proposed to be made effective by the applicants for the instant service will result in the establishment of rates and charges which are compensatory to such applicants for such service.

(b) If the answer to the foregoing issue is in the negative, to determine whether the establishment of non-compensatory rates and charges for such service will result in unfair competition to protestants by the applicants.

and the applicants shall have the burden of proof as to the portion designated (a) above, and the protestants shall have the burden of proof on the portion designated (b)

19. Issue 10 is predicated upon the assumption that the provisions of section 314 of our act apply to the instant service, and, in effect, looks to a determination as to whether a grant of the subject applications would violate that section.

20. In connection with our disposition of the matter of the American Cable and Radio Corporation, etc., docket No. 9093, we considered, among other things, the meaning and effect of section 314 of the act (see Report of May 3, 1950, adopted by the Commission May 11, 1950; paragraph 79) In that decision, we noted that "the major purpose of section 314 and its predecessor, section 17 of the Radio Act, was to assure that radio * * * should be permitted to develop fully and freely, without interference from the older, well-entrenched, cable medium. It is apparent that Congress in enacting section 314, intended that there be competition between cable and radio, as two separate and distinct means of inter-national communication." In the light of that expression, and our knowledge of the legislative history of this section of the act, we have some doubt concerning the applicability of this section to a mobile service, where it is possible to provide service only by radio and, as a result, where the preservation of competition between cable or wire and radio facilities could not conceivably be involved. Additionally, we question whether service to a mobile unit is service to a "place" within the meaning of this section of the act, or whether "place" does not mean "point" in contemplation of a point-to-point service. However, we recognize that the proposition is susceptible of argument.

21. Apart from this preliminary question of law as to this issue, there are also involved certain mixed questions of fact and law, e. g., whether the purpose or effect of the questioned operations may be substantially to lessen competition, or unlawfully to create a monopoly, which would require determination if the statute applies.

22. In view of the fundamental nature of the matter here involved and its novelty as applied to a mobile service, we will re-phrase the issue to present more clearly the appropriate questions:

To determine whether the provisions of section 314 of the Communications Act of 1934, as amended, are applicable to the instant mobile service.

If the answer to the foregoing issue is in the affirmative, to determine whether a grant of the instant applications will have the purpose or effect which may be to substantially lessen competition or to restrain commerce between any place in any state, territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or unlawfully to create monopoly in any line of commerce.

and we shall require the protestants to have the burden of proof on the factual aspects of such issues.

23. Because of the evident relevance and propriety of such matters, we shall, on our own initiative, include two additional issues in the hearings herein, and require the applicants to assume the burden of proof as to both thereof:

To determine whether the establishment of the proposed facilities will result in public benefit or advantage, and the nature and extent of such benefit or advantage.

To determine, in the light of the evidence adduced on all the foregoing issues herein, whether the public interest, convenience or necessity will be served by a grant of any or all of the subject applications.

In view of the foregoing: *It is ordered,* That, the effective date of the Commission's action of February 10, 1955, granting the above-entitled respective applications of Michigan Bell Telephone Company and Wisconsin Telephone Company is postponed pending a final decision by the Commission with respect to the evidentiary hearing hereinafter provided; and

It is further ordered, That the above-entitled applications are designated for hearing, in a consolidated proceeding, upon the following issues, to be held at the Commission's offices in Washington, D. C., on the 13th day of June 1955 at 10:00 a. m., before Examiner William G. Butts, upon the following issues:

1. To determine the facts with respect to the proposed facilities, personnel, rates, regulations, practices and services of each applicant.

2. To determine the nature and amount of traffic to be handled by each of the proposed stations, and from what sources such traffic will be derived.

3. To determine the amount of revenues to be received by each of the proposed stations; the costs to each applicant for constructing and operating each proposed station, and the net operating revenues, if any, therefrom.

4. To determine the full scope and extent of the "coordinated move" by the Bell companies on the Great Lakes; namely, to determine Bell's complete plans with respect to applications for other and additional stations on the Great Lakes, and the reasons therefor.

5. To determine whether the existing public maritime mobile service on the Great Lakes is adequate to serve the present and reasonably foreseeable future public need therefor.

6. To determine the full effect of the proposed service on the MF–HF–VHF service furnished by existing stations on the Great Lakes and upon the companies furnishing such service.

7. To determine whether the rates, charges, classifications, practices and regulations proposed to be made effective by the applicants for the instant service will result in the establishment of rates and charges which are compensatory to such applicants for such service.

8. If the answer to issue 7 is in the negative, to determine whether the establishment of non-compensatory rates and charges for such service will result in unfair competition to protestants by the applicants.

9. To determine whether the provisions of section 314 of the Communications Act of 1934, as amended, are applicable to the instant mobile service.

10. If the answer to issue 9 is in the affirmative, to determine whether a grant of the instant applications will have the purpose or effect which may be to substantially lessen competition or to restrain commerce between any place in any state, territory, or possession of the United States, or in the District of Columbia, and any place in any foreign country, or unlawfully to create monopoly in any line of commerce.

11. To determine whether the establishment of the proposed facilities will result in public benefit or advantage, and the nature and extent of such benefit or advantage.

12. To determine, in the light of the evidence adduced on all the foregoing issues, whether the public interest, convenience or necessity will be served by a grant of any or all of the subject applications.

It is further ordered, That, the burden of proof on issues 1, 2, 3, 4, 7, 11 and 12 is placed upon the respective applicants, and the burden of proof on issues 5, 6, 8, 9 (as to factual matters) and 10 is placed upon the respective protestants; and

It is further ordered, That, the Lorain County Radio Corporation, Central Radio Telegraph Company, the Chief, Common Carrier Bureau, and the Chief, Safety & Special Radio Services Bureau are made parties to the proceedings herein; and

It is further ordered, That, the parties desiring to participate herein shall file their appearances not later than May 13, 1955.

Adopted: April 27, 1955.

Released: May 2, 1955.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 55-3656; Filed, May 4, 1955; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-3883]

D. B. McCONNELL

NOTICE OF APPLICATION AND DATE OF HEARING

APRIL 28, 1955.

Take notice that D. B. McConnell (Applicant) an individual whose address is Shreveport, Louisiana, filed on October 1, 1954, for himself and others as listed in the application, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces natural gas from the D. B. McConnell-Buhler #1 Well in the Gillis Field of Calcasieu Parish, Louisiana, which is sold to Louisiana Natural Gas Corporation in interstate commerce for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 6, 1955, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application. *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 25, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-3641; Filed, May 4, 1955; 8:48 a. m.]

[Docket No. G-8064]

CLARK DALE DRILLING CO.

NOTICE OF APPLICATION AND DATE OF HEARING

APRIL 28, 1955.

Take notice that Clark Dale Drilling Company (Applicant) a Texas corporation whose address is San Angelo, Texas, filed an application on December 6, 1954, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces casinghead gas in the Spraberry Field, Upton County, Texas, which it sells to Phillips Petroleum Company in interstate commerce for resale. The price at time of filing is stated to be 10 cents per Mcf, pursuant to the terms of the standard Phillips Petroleum Company casinghead gas purchase contract dated August 25, 1954.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 6, 1955, at 9:40 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 25, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-3642; Filed, May 4, 1955; 8:48 a. m.]

[Docket No. G-8118]

CORONET OIL CO.

NOTICE OF APPLICATION AND DATE OF HEARING

APRIL 28, 1955.

Take notice that Coronet Oil Company (Applicant) a Nevada corporation whose address is Odessa, Tennessee, filed an application on December 13, 1954, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant produces casinghead gas in the Goldsmith (Fusselman) and Goldsmith North (Ellenburger) Fields, Ector County, Texas, which it proposes to sell to Phillips Petroleum Company in interstate commerce for resale. The initial price will be 7.02976 cents per Mcf, pursuant to the casinghead gas contract dated October 13, 1954.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 6, 1955, at 9:50 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 25, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-3643; Filed, May 4, 1955; 8:48 a. m.]

[Docket No. G-8573]

DAYTON POWER AND LIGHT CO.

NOTICE OF APPLICATION

APRIL 28, 1955.

Take notice that The Dayton Power and Light Company (Applicant), an Ohio corporation with its principal place of business in Dayton, Ohio, filed an application on March 14, 1955, for an order, pursuant to section 7 (a) of the Natural Gas Act, directing Ohio Fuel Gas Company (Ohio Fuel) to establish a physical connection between its existing Z-50 transmission line in Darke County, Ohio, and certain proposed facilities of Applicant, and the sale and delivery by Ohio Fuel to Applicant of natural gas for resale in the Village of Gordon, Darke County, Ohio, as hereinafter described, all as more fully represented in the application.

Applicant states that it is an existing customer of Ohio Fuel, furnishing natural gas service to numerous communities in southwestern Ohio. The Village of Gordon has a population of 200, has no natural gas service at present, and has granted a 25-year franchise to Applicant.

Applicant proposes to construct 2,687 feet of 2-inch pipeline to a point of connection with Ohio Fuel's line Z-50 in Darke County, and a distribution sys-

tem in the Village of Gordon, at a total cost of $18,000 to be financed from current funds.

The requirements of the Village of Gordon are estimated at a maximum potential of 336 Mcf per day, with estimated annual requirements of 11,000 to 14,000 Mcf per year.

Ohio Fuel, in its answer to the application herein, filed March 30, 1955, avers that it has no objection to the granting of the application and that rendition of the service requested will not adversely affect service to present customers; that no additional facilities other than a physical connection and tap will be required.

Applicant has requested that its application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Commission in accordance with §§ 1.8 and 1.10 of its rules of practice and procedure (18 CFR 1.8 and 1.10) on or before May 18, 1955. The application is on file with the Commission and open for public inspection.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-3644; Filed, May 4, 1955; 8:48 a. m.]

[Docket No. G-8819]

MRS. TOM J. MOFFITT, ET AL.

ORDER ACCEPTING PROPOSED RATE SCHEDULE FOR FILING AND SUSPENDING USE THEREOF

On April 1, 1955, Mrs. Tom J. Moffitt, et al., filed a notice of change to their FPC Gas Rate Schedule No. 1 covering the sale of natural gas to Louisiana Nevada Transit Company from the Cotton Valley Field, Webster Parish, Louisiana. This notice of change has been designated as Supplement No. 6 to FPC Gas Rate Schedule No. 1. The sale to Louisiana Nevada is made under a gas sales contract with the Cotton Valley Operators Committee (Committee) acting as agent for the operators and royalty owners, but the Committee has not filed any rate schedule with the Commission on behalf of the operators and owners. Therefore, Mrs. Moffitt's notice of change should be accepted for filing.

The increase in rate proposed in Supplement No. 6 is from 5.6 cents per Mcf to 10.7 cents per Mcf and is made pursuant to a contract provision for redetermination every three years on the basis of the weighted-average price being paid in the North Louisiana area. The requested effective date of the increase is October 23, 1954. The proposed increase has not been shown to be justified and may be unjust, unreasonable, or otherwise unlawful.

The Commision finds:

(1) Supplement No. 6 to Mrs. Tom J. Moffitt's, et al. FPC Gas Rate Schedule No. 1, as submitted on April 1, 1955, should be accepted for filing.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of Supplement No. 6 to Mrs. Tom J. Moffitt's, et al., FPC Gas Rate Schedule No. 1 and that said proposed change be suspended as hereinafter provided and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) Supplement No. 6 to Mrs. Tom J. Moffitt's et al., FPC Gas Rate Schedule No. 1, as submitted on April 1, 1955, be and it hereby is accepted for filing.

(B) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations, a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until October 2, 1955, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: April 20, 1955.

Issued: April 29, 1955.

By the Commission.[1]

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-3645; Filed, May 4, 1955; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 2, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 30576: Petroleum Coke—McPherson, Kans., to Chicago, Ill. Filed by F C. Kratzmeier, Agent, for interested rail carriers. Rates on petroleum coke, briquettes, breeze, and dust, carloads, from McPherson, Kans., to Chicago, Ill.

Grounds for relief: Circuitous routes.

Tariff: Supplement 45 to Agent Kratzmeir's I. C. C. 3983.

FSA No. 30577· Pulpboard—Hutchinson, Kans., to Memphis, Tenn. Filed by W J. Prueter, Agent, for interested rail carriers. Rates on pulpboard, carload, from Hutchinson, Kans., to Memphis, Tenn.

Grounds for relief: Market competition and circuity.

Tariff: Supplement 77 to Agent Prueter's I. C. C. A-3622.

[1] Commissioner Draper dissenting.

FSA No. 30578: Fluorspar flux—Cleveland, Ohio, to Alabama. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on ground fluorspar flux, carload, from Cleveland, Ohio to Ensley and Fairfield, Ala.

Grounds for relief: Circuity.

FSA No. 30579: Commodities—Ohio, Michigan, and West Virginia to the South. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on various commodities, carloads, from specified points in Ohio, Michigan and West Virginia, to specified points in the South.

Grounds for relief: Circuity.

FSA No. 20580: Commodities—Ohio and West Virginia to Southern Points. Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on lamps, caustic soda, and liquefied chlorine gas, carloads, from specified points in Ohio and West Virginia to Memphis, Tenn., Mobile, Ala., and New Orleans, La.

Grounds for relief: Circuitous routes.

FSA No. 30581. Coke—Joliet, Ill., to Keokuk, Iowa. Filed by R. G. Raasch, Agent, for interested rail carriers. Rates on coke, coke breeze, dust and screenings (direct products of coal) carloads, from Joliet, Ill., to Keokuk, Iowa.

Grounds for relief: Barge competition and circuity.

Tariff: Supplement 30 to Agent Raasch's I. C. C. 767.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 55-3648; Filed, May 4, 1955; 8:49 a. m.]

[Rev. S. O. 562, Taylor's I. C. C. Order 48 Amdt. 2]

LOUISVILLE AND NASHVILLE RAILROAD CO. ET AL.

EXPIRATION DATE OF ORDER

Upon further consideration of Revised Taylor's I. C. C. Order No. 48 and good cause appearing therefor: *It is ordered,* That:

Revised Taylor's I. C. C. Order No. 48 be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This order shall expire at 11:59 p. m., May 16, 1955, unless otherwise modified, changed, suspended or annulled.

It is further ordered, That this amendment shall become effective at 11:59 p. m., April 30, 1955, and that this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement, and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., April 29, 1955.

INTERSTATE COMMERCE COMMISSION,
CHARLES W. TAYLOR,
Agent.

[F. R. Doc. 55-3649; Filed, May 4, 1955; 8:49 a. m.]

[No. MC–C–1804]

RECIPROCITY AGREEMENTS BETWEEN MOTOR CARRIERS AND SHIPPERS OF BULK PETROLEUM

NOTICE OF INVESTIGATION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 7th day of March A. D. 1955.

It appearing, that some motor carriers and shippers of bulk petroleum and petroleum products are engaged in practices whereby the transportation of bulk petroleum and petroleum products by particular motor carriers is dependent upon the extent to which the motor carrier purchases petroleum products and other products sold by the shipper and in some cases is dependent upon the surrender by the motor carrier to the shipper of so-called "reciprocity credits" representing the purchase of the shipper's products by the motor carrier and others, including motor carriers of commodities other than bulk petroleum and petroleum products.

And it further appearing that the the practice may be in violation of sections 217 (b) and 222 (c) of the Interstate Commerce Act with respect to shipments transported by motor common carriers and in violation of section 218 (a) in the case of motor contract carriers:

It is ordered, that an investigation be, and it is hereby, instituted, upon our own motion, into and concerning the lawfulness of the practices described in the first paragraph hereof, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant.

It is further ordered, that motor common and contract carriers of petroleum and petroleum products, in tank vehicles, be, and they are hereby, made respondents to this proceeding; and that notice of this proceeding be given to the said respondents and to the general public by depositing a copy of this order in the office of the Secretary of the Interstate Commerce Commission, at Washington, D. C., and by filing a copy with the Director of the Federal Register.

And it is further ordered, that this proceeding be assigned for hearing at a time and place to be hereafter fixed.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 55–3650; Filed, May 4, 1955; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–3369]

COLUMBIA GAS SYSTEM, INC., ET AL.

NOTICE OF FILING OF JOINT APPLICATION-DECLARATION RELATING TO PROPOSED ISSUANCE AND SALE OF SECURITIES BY SUBSIDIARIES TO PARENT COMPANY, AND ALSO TO PROPOSED OPEN-ACCOUNT ADVANCES BY PARENT COMPANY TO SUBSIDIARIES

APRIL 28, 1955.

In the Matter of the Columbia Gas System, Inc., United Fuel Gas Company, Amere Gas Utilities Company, Atlantic Seaboard Corporation, Central Kentucky Natural Gas Company, Virginia Gas Distribution Corporation, The Ohio Fuel Gas Company, The Manufacturers Light and Heat Company, Cumberland and Allegheny Gas Company, Home Gas Company, The Keystone Gas Company, Inc., File No. 70–3369.

Notice is hereby given that The Columbia Gas System, Inc. ("Columbia") a registered holding company, and its wholly-owned public-utility subsidiaries, United Fuel Gas Company ("United Fuel") Amere Gas Utilities Company ("Amere") Central Kentucky Natural Gas Company ("Central Kentucky") Virginia Gas Distribution Corporation ("Distribution") The Ohio Fuel Gas Company ("Ohio") The Manufacturers Light and Heat Company ("Manufacturers") Cumberland and Allegheny Gas Company ("Cumberland") and The Keystone Gas Company Inc. ("Keystone") and its wholly owned non-utility subsidiaries, Atlantic Seaboard Corporation ("Seaboard") and Home Gas Company ("Home"), have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") designating sections 6 (b) 9, 10, 12 (b) and 12 (f) and Rules U-43 and U-45 as applicable to the proposed transactions, which are summarized as follows:

Said subsidiary companies are engaged in construction programs which will require expenditures and which will necessitate their obtaining new money in 1955, as follows:

Company	Construction expenditures	New money requirements
United Fuel	$13,365,300	$5,900,000
Amere	318,900	300,000
Seaboard	10,305,400	6,900,000
Central Kentucky	3,179,200	2,200,000
Distribution	852,900	850,000
Ohio	20,220,700	11,300,000
Manufacturers	17,277,600	10,000,000
Cumberland	2,738,100	2,250,000
Home	696,800	475,000
Keystone	151,200	175,000
Total	69,106,100	40,350,000

It is proposed that Columbia will furnish to said subsidiary companies the new money required, in consideration of which said subsidiaries will issue and sell to Columbia at principal amount and par value, their several securities as follows:

Subsidiary companies	Securities to be issued and sold	
	Installment notes (aggregate principal amount)	Common stock (aggregate par value)
United Fuel	$5,900,000	
Amere	300,000	
Seaboard	5,500,000	$1,400,000
Central Kentucky	1,600,000	600,000
Distribution	650,000	200,000
Ohio	11,300,000	
Manufacturers	5,500,000	4,600,000
Cumberland	2,250,000	
Home	375,000	100,000
Keystone	175,000	
Total	33,550,000	6,800,000

Said securities will be issued by the several subsidiaries from time to time as funds are required, but not later than March 31, 1956. The Installment Notes will be dated when issued, and will be payable in 25 equal annual installments on February 15 of each of the years 1957 to 1981, inclusive. It is represented that the Notes will bear interest at 3 percent per annum subject to adjustment as of the date of Columbia's next debenture issue to a rate equal to the coupon rate that will apply to such issue.

In addition to the foregoing investments in its subsidiaries to finance the 1955 system construction program, Columbia further proposes to advance on open account, from time to time to five of its subsidiaries, funds aggregating not in excess of $35,000,000 for the purchase during 1955 of inventory gas for storage in their underground storage facilities, as follows:

United Fuel	$10,000,000
Central Kentucky	500,000
Ohio	16,000,000
Manufacturers	7,000,000
Home	1,500,000
Total	35,000,000

Said open-account advances will bear interest at the rate of 3 percent per annum (being the same rate to be paid by Columbia to commercial banks for the loan of said funds) and will be repayable, in three equal installments on February 25, March 25, and April 25, 1956, from revenues derived from the sale of stored gas during the coming winter season.

The estimated expenses to be paid in connection with said transactions, of which each company will pay its individual part, are $1,100 to the Columbia Gas Service Corporation for preparing the documents filed with the regulatory commissions, $44,385 for Federal original issue taxes, $1,600 for legal expenses, and $1,100 for miscellaneous expenses.

The several subsidiary companies, other than Seaboard, are required to obtain authorization for the issuance and sale of the securities, as herein proposed, from the regulatory commissions of the States wherein they are organized and doing business, as follows:

Issuing Company and Authorizations To Be Obtained From

Manufacturers: The Pennsylvania Public Utility Commission.

United Fuel: [1] West Virginia Public Service Commission.

Amere: West Virginia Public Service Commission.

Cumberland: West Virginia Public Service Commission.

Ohio: Public Utilities Commission of Ohio.

Distribution: State Corporation Commission of Virginia.

Central Kentucky: Kentucky Public Service Commission.

Home: New York Public Service Commission.

Keystone: New York Public Service Commission.

It is requested that this Commission issue its order with respect to each of the several transactions proposed herein

[1] United Fuel is also required to obtain authorization from the West Virginia Public Service Commission for the open-account advances herein proposed.

as soon as possible after the filing of the final amendment to the joint application-declaration applicable thereto.

Notice is further given that any interested person may, not later than May 11, 1955 at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said application-declaration, as filed or as amended, may be granted and permitted to become effective, in whole or in part, or the Commission may take such other action as it may deem appropriate under the circumstances.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-3646; Filed, May 4, 1955; 8:49 a. m.]

[File No. 70-3370]

COLUMBIA GAS SYSTEM, INC.

NOTICE OF PROPOSED SHORT-TERM FINANCING BY BANK LOANS

APRIL 28, 1955.

Notice is hereby given that The Columbia Gas System, Inc. (Columbia") a registered holding company, has filed with the Commission a declaration pursuant to sections 6 and 7 of the Public Utility Holding Company Act of 1935 ("act") regarding the following proposed transactions:

Columbia proposes to borrow $50,000,000 in aggregate amount from nineteen commercial banks, half of such amount to be borrowed on or before June 30, 1955 and the balance on or before August 31, 1955. The loans will be evidenced by notes dated when issued and maturing April 30, 1956. Said notes will bear interest at the rate of 3 percent per annum and may be prepaid in whole or in part, without penalty, prior to the date of maturity on 10 days' notice.

Columbia states that from the proceeds of said borrowings $15,000,000 will be advanced to its subsidiaries for construction and $35,000,000 for the purchase of storage gas for current inventory. It estimates that during the current year the system will require additional funds in the aggregate amount of $50,000,000, of which $25,000,000 will be for construction and $25,000,000 for the payment of presently outstanding bank loans, maturing August 31, 1955. Columbia has not developed definitive plans to provide the balance of the required funds. If the cash requirements remain substantially of the magnitude now estimated, Columbia expects to sell debentures in an amount which will depend upon market and other conditions. However, if the construction program and resulting cash requirements should be materially reduced, Columbia, instead of selling debentures this year, may negotiate with the banks for new short-term loans and postpone its long-term financing until 1956.

It is contemplated that $35,000,000 of the proposed bank loans, which is the amount proposed to be advanced during the year to the subsidiaries for the purchase of inventory gas, will be repaid on or before maturity with funds obtained from operations.

Columbia estimates its total expenses herein at $500.

It is requested that the Commission's order be made effective as soon as practicable.

Notice is further given that any interested person may, not later than May 11, 1955 at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, said declaration, as filed or as amended, may be permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under the Act, or the Commission may take such other action as it may deem appropriate under the circumstances.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 55-3647; Filed, May 4, 1955; 8:49 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

WILLIAM TROELLER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

William Troeller, 6 Place de Nancy, Luxembourg, Grand Duchy of Luxembourg, Claim No. 58692; Vesting Order No. 9008; one $1,000 Rhine Westphalia Electric Power Corporation Consolidated Mortgage Bond Series of 1930, bearing Certificate No. 4509, presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York.

Executed at Washington D. C., on April 29, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F. R. Doc. 55-3658; Filed, May 4, 1955; 8:51 a. m.]

CHARLES MALLERIN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Charles Mallerin, Isere, France, Claim No. 11594; Vesting Order No. 1028; $4,706.57 in the Treasury of the United States.

Executed at Washington, D. C., on April 21, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F. R. Doc. 55-3659; Filed, May 4, 1955; 8:51 a. m.]

KARL WECH

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Karl Wech, Herzogenburg, Neiderosterreich (Lower Austria), Claim No. 63130; Vesting Order No. 10062; $214.49 in the Treasury of the United States.

Executed at Washington, D. C., on April 29, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON, *Deputy Director, Office of Alien Property.*

[F. R. Doc. 55-3660; Filed, May 4, 1955; 8:51 a. m.]

CARRY BARMÉ

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Carry Barmé, Sao Paulo, Brazil; Claim No. 35489; property described in Vesting Order

No. 201 (8 F. R. 625, Jan 16, 1943) relating to United States Letters Patent Nos. 1,587,933 and 2,125,664.

Executed at Washington, D. C., on April 29, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 55-3661; Filed, May 4, 1955; 8:51 a. m.]

KAY M. BEHDJOU

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Kay M. Behdjou, a/k/a Kazeme Behdjou, Hamburg, Germany, Claim No. 61054; Vesting Order No. 18190; $458.00 in the Treasury of the United States.

Executed at Washington, D. C., on April 29, 1955.

For the Attorney General.

[SEAL] PAUL V MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-3662; Filed, May 4, 1955; 8:51 a. m.]